HER MAJESTY’S GOVERNMENT

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30 April 2018
Mr Speaker: The House will have been as sad as I was to learn of the death of my predecessor as Speaker, Michael Martin, latterly Lord Martin of Springburn. Michael was a decent, public-spirited man who had a real care and concern for Members, their staff and the staff of this House. He was a fine campaigner and a man both passionate about, and proud of, his roots. He also had, as many Members can testify, a great sense of humour. On a personal level, he was always very kind to me. I feel sure that my experience was mirrored in the experience of a very large number of colleagues across the House. I still remember to this day the lovely and generous letter of congratulations he sent to me after my election as Speaker. My deepest sympathies go out to Mary, his children and their grandchildren. Colleagues, there will be a fuller opportunity tomorrow for Members of this House to pay tribute to Michael Martin.

Wera Hobhouse: May I add my condolences to the family of the former Speaker?

Mr Speaker: The Secretary of State for Housing, Communities and Local Government (James Brokenshire): The affordable homes programme is a bid-led programme and spending within a financial year may vary from budget based on the number of bids. This is standard budget management practice. We are investing more in affordable homes, with an additional £2 billion provided last year, taking the programme to over £9 billion. That funding will support housing associations and local authorities to build more affordable homes where they are needed most.

James Brokenshire: I thank the hon. Lady for her kind words and wishes. May I also associate myself with your words, Mr Speaker, on the former Speaker Michael Martin? He was the Speaker when I first joined this House, and I know what a kind and supportive man he was to hon. Members right across the House, in particular new Members. I know what a sad loss he is.

In response to the hon. Lady’s question, I point to the £9 billion I highlighted and to the fact that in 2016-17 41,530 affordable housing homes were completed, which is 27% higher than in the previous year. I underline the commitment given by my predecessor, to whom I pay tribute for his work. We will continue to focus on building homes for the future, including affordable homes, and raising aspirations.

Robert Neill (Bromley and Chislehurst) (Con): I, too, associate myself with your comments, Mr Speaker, about the late Lord Martin. He was particularly kind to
me when I arrived here after a by-election. I especially welcome the return of my good friend and constituency neighbour to the Treasury Bench, which is where he deservedly belongs.

Does my right hon. Friend agree that the key to affordability is increasing supply? Does he recognise, as a fellow London MP, that the Government devolved the strategic housing pot to the Mayor of London? Does he share my concern that while housing starts in the rest of the country have risen, in London, under the current Labour Mayor, they have fallen?

**James Brokenshire**: My hon. Friend makes a very important point about the flexibilities this Government have sought to put in place to deal with the essential issue of housing, which will be a core priority for me in the time ahead. I thank him for his kind wishes. Investment and flexibility will make a difference, provided they are taken up and we have partnership across the country, in delivering the homes people need.

**Ms Angela Eagle** (Wallasey) (Lab): I welcome the right hon. Gentleman to his place. Does his Department have any targets for the number of affordable houses? Will he promise to take a look at the definition of affordable, which is at far too high a price under this Government?

**James Brokenshire**: The hon. Lady will know that our ambition is to get building up to about 300,000 homes a year. That is the real focus and commitment of this Government. Yes, it is about affordability and it is about ensuring that people have a positive sense for the future about getting into the housing market, and that is what this Government are determined to do.

**Sir Desmond Swayne** (New Forest West) (Con): Will my right hon. Friend encourage planners to negotiate higher proportions of affordable housing in new developments?

**James Brokenshire**: I will certainly reflect on the feedback that I receive from across the House in the days ahead. These are just the first few hours of my tenure in this role, but I will listen closely to the comments from my right hon. Friend and others, and certainly, as we look at the national planning policy framework, we will consider those matters carefully.

**John Healey** (Wentworth and Dearne) (Lab): Although all Speakers become politically neutral, Labour Members welcome and endorse with particular strength your tribute to our former colleague, Michael Martin, as well as your condolences to Mary and the family, Mr Speaker.

I warmly welcome the new Housing Secretary; it is a very important role. This is a very important point about the flexibilities this Government are investing £9 billion in affordable homes. That, with the £2 billion that was added last year, this Government are investing £9 billion in affordable homes. I also draw his attention to the fact that more affordable homes have been delivered in the last seven years than were in the last seven years of the last Labour Government. We will continue to have that focus on building more homes and on building more affordable homes, too.

**John Healey**: The record is clear: 40,000 new genuinely affordable social rented homes were started by councils and housing associations in Labour’s last year in government, and fewer than 1,000 were backed by his Government last year. Does the Secretary of State not accept that the housing crisis demands that both central Government and local government do much more? In this local elections week, will he confirm a couple of important facts? Labour councils build five times more council homes than Conservative councils, and Labour councils get 50% more homes of all types built than Conservative councils, so does he agree that to fix the housing crisis, it is clear that we need more Labour councils and more Labour councillors to be elected on Thursday?

**James Brokenshire**: Even Labour councils build more homes under a Conservative Government. The right hon. Gentleman does raise the important issues of housing supply, the housing challenges that we need to meet and the roles of national Government and local government. I very much look forward to working with local government to make sure that we deliver on that agenda, because that is what this country needs and what will make a difference to people’s lives.

**Local Government Funding**

2. **Jeremy Lefroy** (Stafford) (Con): What steps his Department is taking to ensure fairness in the allocation of funding to local government.

11. **Alan Mak** (Havant) (Con): What steps his Department is taking to ensure fairness in the allocation of funding to local government.

**The Secretary of State for Housing, Communities and Local Government (James Brokenshire)**: We are undertaking a fair funding review of local authorities’ relative needs and resources to address concerns about the fairness of the current system. We are making good progress in collaboration with the sector to introduce a simple, fair and transparent funding formula.

**Jeremy Lefroy**: I congratulate my right hon. Friend on his appointment and welcome the news on the progress of fair funding, but will he look carefully at running more business rates retention pilots, particularly in my area of Staffordshire and Stoke-on-Trent, as I believe they provide at least a short-term answer to unfair funding?
James Brokenshire: I thank my hon. Friend for raising this issue. I welcome Staffordshire’s interest in future business rates retention pilots, and I hope it applies when the prospectus for 2019-20 pilots is issued. As the prospectus is open to all local authorities, as I think he knows, the decision on which applications are successful can be made only once they have all been considered, but obviously I will be examining the matter closely.

Alan Mak: I congratulate my right hon. Friend on his appointment. He will know that about one third of households in my Havant constituency contain an older person. Will he confirm that under his leadership the social care precepts and the better care fund will mean an extra £4 billion for social care in this Parliament, and will he continue to work with Hampshire County Council’s adult services department?

James Brokenshire: I know that my hon. Friend and other hon. Members from across the House care deeply about this subject. As he will be aware, in February my predecessor announced an additional £150 million for adult social care, which means that councils now have access to £9.4 billion in dedicated adult social care funding over three years.

Mr Jim Cunningham (Coventry South) (Lab): Is the Secretary of State aware—and has he had a word with the Secretary of State for Education about it—that there are schools in Coventry that cannot afford school meals provision? What is he going to do about that?

James Brokenshire: I know that there are pressures in areas such as children’s social services and I am aware of the joined-up work my Department is doing with the Education Department. I look forward to talking to Cabinet colleagues about some of these overlapping issues. I am sure the hon. Gentleman will understand that, in the short time since my appointment, I have not had a chance to do that, but I will certainly be doing so.

Catherine West (Hornsey and Wood Green) (Lab): The Office for National Statistics defines Haringey and other similar boroughs as inner-London boroughs because of their demographics and socioeconomic characteristics. Despite that, Haringey is excluded from the Government’s definition of an inner-London borough. Will the Secretary of State look at that carefully in his funding review so that boroughs such as Haringey can be brought up in line with the Islingtons and Camdens?

James Brokenshire: I will be looking at several issues as part of the fair funding review. The hon. Lady makes an interesting point, which I will consider as part of the overall review, and I am grateful to her for flagging it up.

Richard Benyon (Newbury) (Con): The business rates retention pilot has been a lifeline to hard-pressed West Berkshire Council. Will my right hon. Friend also continue his predecessor’s pledge to tackle negative revenue support grant, because that will have a huge impact on hard-pressed local authorities?

James Brokenshire: I am grateful to my right hon. Friend for highlighting the business rates retention pilots. We are looking at the issue he raises quite closely and will be making further announcements in the coming weeks.

Andrew Gwynne (Denton and Reddish) (Lab): I echo your lovely words of condolence to the family of Michael Martin, Mr Speaker.

I welcome the right hon. Gentleman’s reappointment to Cabinet. He has two shadow Secretaries of State to contend with, and I look forward to working with him and holding him and his Ministers to account on all things communities and local government. His appointment should bring a fresh approach to the crisis engulfing local government. He will know that Tory Northamptonshire is effectively insolvent and that Tory Worcestershire is now also experiencing financial pressure, with its chief executive saying last week that “there comes a point where cost-cutting can’t go any further—there has to be a solution, and I think it has to be a national solution.” Given that the pressures on children’s services and adult social care, alongside a 50% cut in their Government grant funding, are exacerbating these problems, will he now do what his predecessor failed to do and demand of the Chancellor of the Exchequer the funding that our councils—all of them—so desperately need?

James Brokenshire: I am grateful to the hon. Gentleman for his welcome. In some ways, local government is in my blood: my father was the chief executive of a council, and some of the current debates about councils are ones that I had as a boy, believe it or not.

Mr Speaker: It sounds as though mealtimes chez Brokenshire were enormous fun.

James Brokenshire: Let’s not overdo it, Mr Speaker. I hoped that the hon. Member for Denton and Reddish (Andrew Gwynne) would welcome the additional funds that have been given to councils for core spending. They constitute an important statement from the Government, who have given councils a real-terms increase in recognition of the challenges that they face. I hope the hon. Gentleman will also note the forthcoming social care Green Paper, which will enable us to engage in a further and broader debate about long-term funding for social care.

Midlands Engine

3. Lee Rowley (North East Derbyshire) (Con): What steps his Department is taking to deliver economic growth through the midlands engine.

5. Eddie Hughes (Walsall North) (Con): What steps his Department is taking to deliver economic growth through the midlands engine.

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): In recent months, we have launched the £250 million midlands engine investment fund and agreed on a second devolution deal with the West Midlands combined authority.

Lee Rowley: I, too, congratulate the Secretary of State on his appointment. Does he agree that the right infrastructure must be provided to support the economic growth to which he has referred? Although he is new to his post, may I give a quick plug to a bid from my part of the world, north-east Derbyshire, for a housing infrastructure fund to regenerate the Staveley area further, and will he commit himself to reviewing that closely when he comes to make a decision?
James Brokenshire: Obviously, my hon. Friend’s particular focus is on Derbyshire. The right social and physical infrastructure is indeed vital to driving sustainable and significant housing growth, and the £5 billion housing infrastructure fund will unlock up to 600,000 homes. This is a competitive process, but I am committed to funding the projects that will have the greatest impact.

Eddie Hughes (Walsall North) (Con): The Midlands seem to be leading the way in economic growth and job creation. Will the Secretary of State join me in celebrating, with Andy Street, the West Midlands combined authority and the Midlands engine, the local achievement of 6.8% of gross value added, given that the national figure is 2.4%?

James Brokenshire: I will. Andy Street and the West Midlands combined authority have been pivotal to the success of the Midlands engine. The number of businesses in the West Midlands has increased by 9% since 2016, and its second devolution deal includes a £53 million allocation to prepare land and deliver jobs and housing throughout the Black Country, including my hon. Friend’s constituency.

One Yorkshire

4. John Grogan (Keighley) (Lab): What assessment has he made of the potential merits of the proposal from 18 Yorkshire councils for a One Yorkshire devolution settlement.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Jake Berry): Last month, high-level proposals were received from some councils in Yorkshire about the so-called One Yorkshire devolution deal. We are considering those proposals carefully and will respond to the authorities in due course.

John Grogan: Does the Minister accept that it is now the settled will of the vast majority of councils in Yorkshire, and the vast majority of the people there, that we move towards a One Yorkshire devolution settlement, and will he encourage the new Secretary of State to initiate talks with the Yorkshire councils so that he will be ever remembered as the man who delivered the first elected mayor to the white rose county?

Jake Berry: The hon. Gentleman is something of a Mystic Meg of the Labour party. Unlike him, I want the people of South Yorkshire to have their say in the elections next Thursday. The Conservative candidate, Ian Walker, has said:

“This is a golden opportunity to show what South Yorkshire can do.”

The Labour candidate thinks that it should be a part-time job, and the Labour authorities are fighting with each other so much that they cannot agree on what power or money the mayor of South Yorkshire should have.

Philip Davies (Shipley) (Con): As the Minister will know, Yorkshire is a massive county—by far the biggest in the country. What assessment has he made of the ability of one mayor to cover effectively the whole of such a big county? My dad had the privilege of being the Mayor of Doncaster for a while, and that was a pretty full-on job for him, so how on earth can one person do the job effectively and look after the interests of the whole of Yorkshire? What level of bureaucracy and cost would be incurred by a single mayoral office for the whole of Yorkshire?

Jake Berry: I would not like to be drawn on responding to the high-level proposals we have received, but I will say this: later this year, the city of Leeds will be the only core city in the north of England that has not benefited from devolution, and that is a terrible shame for everyone who lives in West Yorkshire.

Diana Johnson (Kingston upon Hull North) (Lab): Does the Minister recognise that the Humber economic area has to be included in any devolution deal for Yorkshire because of the energy estuary, which is vital to the northern powerhouse?

Jake Berry: All these devolution deals are ground-up, and if people from Hull and the Humber come to the Government with proposals for devolution for that area, the Government will of course look at them in the way that they do all devolution proposals.

New Homes

6. Sir David Amess (Southend West) (Con): What progress his Department has made on delivering more new homes.

The Minister for Housing (Dominic Raab): Last year, 217,000 new homes were delivered, which is the highest rate in all but one of the last 30 years, but we are restless to do more and get that level up to 300,000 per year by the mid-2020s.

Sir David Amess: I join others in welcoming my right hon. Friend the new Secretary of State on his return to Government, and trust that he will not forget his Essex roots.

Conservative-controlled Southend-on-Sea Borough Council is keen to deliver as many new affordable homes as possible, so will my hon. Friend the Minister encourage local authorities to engage with innovative schemes that benefit the wider community, such as ZEDGeneration and the Ferdinand brothers legacy project?

Dominic Raab: We encourage all ambitious local authorities to be as innovative as possible, and my hon. Friend will know that in 2016 Southend council received £122,000 and Genesis Housing Association £420,000 for the regeneration of the centre of Southend, and that includes Conservative plans for more affordable homes.

21. Rachael Maskell (York Central) (Lab/Co-op): City of York Council is about to submit its local plan, but has seriously undercount Government figures for the number of houses to be built and has relied on transport data that is 10 years old. So as the local plan goes through Government processes, will the Minister ensure that parties across the political spectrum, including Labour, can be part of the conversation?

Dominic Raab: We want York to get its local plan in place; that is the best thing for the community, as it gives certainty and a greater chance of those homes
being delivered. A local authority statement of community involvement is an essential part of that process and it will be tested against the statement in due course.

Mr Mark Prisk (Hertford and Stortford) (Con): My constituents recognise that we need more homes but are concerned about overstretched infrastructure and public services. What are the Government doing to ensure that those areas that are willing to build the most homes will get the maximum amount of funding for new infrastructure and public services?

Dominic Raab: My hon. Friend is absolutely right, and that is why we have brought forward £5 billion of approved funding for infrastructure funding—both viability funding and forward funding—which will unlock 600,000 new homes. The criteria are calibrated to make sure that the investment goes where there is the greatest demand for homes and where we can deliver the most homes and the best bang for the taxpayers’ buck.

Ruth George (High Peak) (Lab): When the Minister looks at new housing, will he ensure that it is actually affordable to constituents on average incomes? Will he also look at the position of leasehold homes, which are still being sold in my constituency, in spite of commitments from the previous Secretary of State, because those homes are not affordable on an ongoing basis?

Dominic Raab: The No. 1 way to improve the affordability of homes is to increase the supply, which is why our agenda is to get the number of new homes built per year up to 300,000. I looked at the Labour party’s Green Paper and it seems to suggest going back in the overall number of homes delivered each year. As the Secretary of State has already said, we have delivered more affordable homes in the past seven years than were delivered in the last seven years of the previous Labour Government.

Mr Richard Bacon (South Norfolk) (Con): Will the Minister meet me and other members of the Right to Build Expert Task Force—one member is one of my own civil servants—so that we can brief him on the great work it is doing in increasing housing numbers and improving quality and customer choice?

Dominic Raab: I thank my hon. Friend. Friend for his question. We are keen to see diversity in the housing market. It will be one of the key drivers for building more homes and getting more affordable homes, and I will be happy to meet him in due course.

High-rise Buildings: Cladding

7. Andy Slaughter (Hammersmith) (Lab): What estimate he has made of the number of high-rise residential buildings that have had dangerous cladding removed and replaced. [905028]

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Our first priority is the safety of residents. The remediation of buildings with aluminium composite material cladding is a complex process, and it is important that we get this right. Of the 158 social housing buildings, 104 have started remediation, and seven of those have finished the remediation work.

Andy Slaughter: With his new authority, would the Secretary of State agree that it would give more certainty and speed up the process if he were to say that only non-combustible class A1 materials should be used for external construction, as is the case in the rest of Europe? I doubt that he would live in a building that was clad in combustible or partially combustible material, so why should my constituents do so?

James Brokenshire: I understand the reasons for the hon. Gentleman making those points. At the outset, I want to underline my commitment to giving priority to these issues. This has been an utter tragedy, and our priority has to be—as it was with my predecessor—to ensure that survivors and communities receive all the support that they need. He will be aware that the Hackitt review is looking at a range of issues, and I would not want to prejudge that review, but he makes an important point and I am sure that it will be examined.

Sir Peter Bottomley (Worthing West) (Con): The Secretary of State has referred to his father, who was respected for his work in the Local Government Commission and the Audit Commission, and as chief executive of the London Borough of Greenwich, where, when I was there, he helped to get cladding for the Nightingale Vale tower block, enabling people to spend £5 a week to be warm rather than £30 a week to be cold. When the Secretary of State is bedded in, will he look at the problem of tenant/leaseholders in private blocks, where freeholders and others who own the freehold such as developers seem to fail to understand that tenants cannot be expected to pay the cost of recladding their buildings?

James Brokenshire: I am grateful to my hon. Friend for his comments about my father and his sense of focus and dedication as a public servant. My hon. Friend makes a point about the private sector and about landlords and those who own buildings seeking to pass on those costs. I would say clearly that the costs should not be passed on to leaseholders. They should be borne by the owners in the same way that local authorities and public sector buildings are maintaining that approach. I welcome the decision from one property developer, Barratt, to pay for remediation costs, and I hope that others will follow its lead.

Melanie Onn (Great Grimsby) (Lab): On 17 June last year, the Prime Minister said:

“My Government will do whatever it takes to...keep our people safe.”

Plymouth Community Homes says that its request for funding to replace cladding has been turned down, and it is not alone. We have heard the same thing from local authorities up and down the country. Will the Secretary of State update the House today on how many funding applications to replace cladding have been approved by his Department, to demonstrate that it is doing all it takes?

James Brokenshire: As the hon. Lady will know, I am relatively new in post, but I will investigate the specific question that she has raised and respond to her. Obviously, our commitment remains to working with local councils on this important issue.
**Local Authority Finances**

8. Jeff Smith (Manchester, Withington) (Lab): What assessment he has made of the financial sustainability of local authorities in 2018-19. [905030]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): Local government will have access to more than £45 billion in core spending power this financial year. In addition, local authorities estimate that they will keep around £2.4 billion in business rates growth.

Jeff Smith: I watched the Secretary of State’s impressive and moving speech in an Adjournment debate last week, and I know that the whole House will be pleased to see him in good health and back in his place. However, he is going to have to do better than his predecessor at supporting local government, because councils across the country are in crisis-management mode. They are raiding reserves to support revenue expenditure, and that is simply not sustainable. As Tory councils go bust, will he join me in congratulating Manchester’s Labour council on its excellent financial management in the face of some of the harshest and most unfair Government cuts faced by any council in the country under the Tories and the Liberal Democrats?

Rishi Sunak: I hope that Manchester is willing to thank this Conservative Government for backing it with the resources it needs: £13 million in housing infrastructure funds, £30 million for adult social care and, indeed, a business rates pilot that is delivering £20 million, benefiting businesses across Manchester. Those are the actions of a Conservative Government who are delivering for people across the country.

Neil O’Brien (Harborough) (Con): If Leicestershire was as well funded as London’s Camden Council, it would be £350 million a year better off. Does the Minister agree that the only way of making good councils financially sustainable is to have a fair funding formula, with transparent formulae and up-to-date data? Will he look closely at the Leicestershire model for bringing that about?

Rishi Sunak: I could not agree more, and it was a pleasure to meet his local council to understand its position is financially unsustainable. Will he therefore agree that the Local Government Association says that there is a £5 billion funding gap in local government finances from 2020, and the National Audit Office says that the position is financially unsustainable. Will he therefore look carefully at the Housing, Communities and Local Government Committee’s recommendation about business rate retention? When business rate retention changes from 50% to 75%, instead of using that to cut public health grants and other grants, we say that local authorities should be allowed to keep the extra money so that they can properly meet the rising demand for social care for the elderly, for looked-after children and for people with disabilities.

Rishi Sunak: It was a pleasure to work with the hon. Gentleman’s Committee, and I look forward to reading its report in detail.—I thank the Committee for its work. As for the quantum of funding, he tempts me to pre-empt the results of the spending review, which is due next year. That will be the time to consider his point.

**Homelessness**

9. Luke Hall (Thornbury and Yate) (Con): What steps his Department is taking to reduce homelessness. [905031]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler): Tackling homelessness is a key priority for this Government, which is why we are spending over £1.2 billion through to 2020, we have implemented the most ambitious legislative reform in decades—the Homelessness Reduction Act 2017—and we will be publishing our rough sleeping strategy by July this year.

Luke Hall: I welcome the Minister’s response and the update on the Government’s work. Will she update the House on the progress of the “Housing First” pilots?

Mrs Wheeler: The pilots will support some of the most entrenched rough sleepers in our society to end their homelessness. We are nearing the end of a detailed implementation and planning process with the three regions, and I look forward to updating the House further in due course.

Helen Hayes (Dulwich and West Norwood) (Lab): The Homelessness Reduction Act came into force this month, but many councils have raised concerns that the new burdens funding that the Government have allocated
is simply not sufficient for the full implementation of the Act. The Secretary of State is new in his post, but the causes of homelessness under this Government are not going away, so may I urge him to take an early look at the Government’s decision to review the funding only at the end of the current two-year period?

Mrs Wheeler: I thank the hon. Lady for that rant. Unfortunately, I have a feeling that she might be—what is the word we are looking for? [Interruption.] Some of the most important parts of the Act will be implemented in October, so councils have six months to get their places in order.

Mr Speaker: We probably will not reach the end of the Order Paper and it would be sad to be deprived of the intellect and eloquence of the right hon. Member for Harlow (Robert Halfon), so if he wishes to come in now, he can.

Mrs Wheeler: Homeless shelters will form part of the rough sleeping strategy we are bringing out at the end of June or the beginning of July. We expect there to be a sea change in how all the different parts of the social sector, the charitable sector and local government deal with rough sleeping and homelessness. I think my right hon. Friend will enjoy reading the rough sleeping strategy.

Alison Thewliss (Glasgow Central) (SNP): On behalf of the Scottish National party, I pay tribute to Michael Martin. He was the MP for Dennistoun, where I lived, and I pass on my own and my party’s condolences to his friends and family and to the Glasgow Labour family, who will miss him very much.

I welcome the Secretary of State back to the Government. He is the third Secretary of State I have faced, which I am sure everyone will agree is a clear sign of a strong and stable Government.

Homelessness is soaring in England, but in Scotland there has been a 38% reduction over the past 10 years. The Minister recently visited Glasgow to discuss some of the projects happening in the city I represent. Will she tell the House a little more about what she learned on her visit?

Mrs Wheeler: That is a very useful question—a fiver is in the post. One of the reasons I went up to Glasgow is that, although homelessness and rough sleeping had been reducing for four years, there has been a blip and Glasgow and other areas were not sure why there has been an increase in rough sleeping, particularly in Glasgow. I was hugely impressed by the work being done on rough sleeping by the charitable sector and Glasgow City Council, particularly in implementing their own version of Housing First. Glasgow City Council and the charities are doing very innovative work.

Alison Thewliss: I thank the Minister for her kind words. I am sure the sector in Glasgow will be pleased to hear what she has learned.

Another group who struggle to get housing and therefore end up in homelessness are those with insecure immigration status, who often have no recourse to public funds. Can the Minister tell us more about what her Government intend to do to ensure that vulnerable men and women do not end up sleeping in the streets because of the policies of the Home Office?

Mrs Wheeler: The situation differs slightly in different parts of the UK. There is Government funding for projects in England that look after people who have indeterminate national status. I honestly do not know whether the situation in Scotland is a UK matter or a Scottish matter. I will have to write to the hon. Lady on that issue.

Affordable Housing

10. Ruth Cadbury (Brentford and Isleworth) (Lab): What assessment he has made of trends in the level of central Government funding for affordable housing since 2010.

The Minister for Housing (Dominic Raab): Over the past seven years, the Government have delivered 357,000 affordable homes, more than in the last seven years of the previous Government. Last year, the number of affordable homes delivered was up by 27%.

Ruth Cadbury: The new Secretary of State skirted the opportunity to address questions on social rented housing posed by my right hon. Friend the Member for Wentworth and Dearne (John Healey), so I will try again. In London in particular, for those on average incomes and below, affordable housing means only social rented housing—housing in which this Government are now investing virtually nothing for the first time since records began—so will the Secretary of State work with the Treasury to ensure that the Government go back to investing in social rented housing so that councils and housing associations provide truly affordable, good-quality homes and, by the way, cut the housing benefit bill that is currently going to rip-off private landlords?

Dominic Raab: I gently remind the hon. Lady that affordability is currently going to rip-off private landlords.

Michelle Donelan (Chippenham) (Con): We must deliver more homes in my constituency, especially affordable ones, so I would like to plug Chippenham’s housing infrastructure fund bid. Does the Minister agree that these new homes would serve as a vehicle to boost our communities with the infrastructure and services that we much need?

Dominic Raab: I thank my hon. Friend for that. She is absolutely right: where local authorities have the ambition to get homes built, it is right that they get support from central Government infrastructure funding.
so that we do not just build the homes that our country needs but build up stronger local communities with them.

Homelessness

12. Kevin Foster (Torbay) (Con): If he will make an assessment of the effectiveness of steps to reduce street homelessness in Torbay. [905035]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler): As part of achieving our commitment to halve rough sleeping by 2022 and eliminate it by 2027, we are working with local authorities to deliver effective interventions. We recently launched an expert multi-disciplinary team to support local areas in reducing rough sleeping quickly. Our homelessness advice and support team has also been supporting local areas on the implementation of the Homelessness Reduction Act 2017.

Kevin Foster: I thank my hon. Friend for her answer. She will be aware of the work being done by the Torbay End Street Homelessness campaign, based on a £400,000 grant from her Department for a project to examine ways to end street homelessness. What assessment has she made of the work done so far? What further support will be available to reduce street homelessness in Torbay?

Mrs Wheeler: I thank my hon. Friend for his follow-up question. We have been working with Torbay on this project, which has supported 70 rough sleepers into accommodation since its launch in December 2016. The impact of the grant programme will be evaluated. As I mentioned, we will be working closely with areas through our new team and the forthcoming cross-Government rough sleeping strategy. The team will be visiting local areas in the coming weeks to discuss this further.

Chris Ruane (Vale of Clwyd) (Lab) rose—

Mr Speaker: The question was about Torbay, but as the Minister’s reply, perfectly properly, broadened the subject matter, it is legitimate to hear about the experience of the people of the Vale of Clwyd.

Chris Ruane: When the right hon. Member for Uxbridge and South Ruislip (Boris Johnson) was London Mayor, he described Tory housing policy in poor areas as “social cleansing”. Many of the victims of that social cleansing have ended up on the streets of Torbay, Rhyl, Prestatyn, Blackpool and other seaside towns. What specific additional funds has the Department made available to those seaside towns to deal with that appalling legacy?

Mrs Wheeler: I think the hon. Gentleman will find it is a devolved matter for the Welsh Government.

Adult Social Care

13. Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): What steps he is taking to fund adult social care. [905036]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): Through the social care precept, the spring Budget last year and the recent local government finance settlement, councils will have access to £9.4 billion in dedicated funding for adult social care over the three years 2017 to 2020.

Ged Killen: May I associate myself with your kind words on the sad passing of Michael Martin, Mr Speaker? Does the Minister believe it is economically viable for councils to continue to use what little reserves they have left in the delivery of adult social care in their area?

Rishi Sunak: I gently remind the hon. Gentleman of my earlier answer, which was that council reserves are some £20 billion across the country and are actually higher today than they were when we came into office. Councils will be able to increase spending on social care in real terms every year up to the end of this Parliament, and we are already seeing the results in action: delayed transfers of care are down by 34% in England. This is a Government who are delivering for people across the country.

Mr Philip Hollobone (Kettering) (Con): Of the 575 beds in Kettering General Hospital, about 200 are occupied by patients, many of them elderly, who have completed their treatment but await transfer to social care. What can be done when the local county council simply is not up to the job of making sure that social care assessments are done in a timely way?

Rishi Sunak: I am sure my hon. Friend will forgive me for not being drawn on Northamptonshire specifically, given the circumstances there and the decision to be made. In general, he is absolutely right to highlight the importance of getting people swiftly transferred to appropriate social care. That has been a focus of the funding that the Government have put in, and the better care fund is ensuring that joined-up care is happening. As I have said, delayed transfers of care are down by almost a third in the past year.

Derek Twigg (Halton) (Lab): May I ask the Minister how many local authorities his Department believes are close to not being able to carry out their statutory responsibilities for adult social care?

Rishi Sunak: None.

Northern Powerhouse

14. Mrs Emma Lewell-Buck (South Shields) (Lab): What progress the Government have made on the delivery of the northern powerhouse. [905037]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Jake Berry): Growing the whole north is crucial to the delivery of our northern powerhouse. Since the northern powerhouse strategy was launched, direct foreign investment in the north has increased at a rate double that of the national average, and unemployment throughout the north is now lower than the national average.

Mrs Lewell-Buck: I thank the Minister for his response and extend to the new Secretary of State an invitation to come to Shields and explain to my constituents why,
when the Government launched the northern powerhouse four years ago, they promised increased growth and increased employment, yet in the time since, growth in Shields has been painfully slow and unemployment stubbornly remains higher than in the rest of the north-east.

Jake Berry: I am a bit more optimistic for the north-east than the hon. Lady, because we are now entering a new golden era for the north-east, which can be seen in the Government’s commitment of more than £300 million—

[Interruption.] Does the hon. Lady want to hear about what we are doing for the north-east? That new golden era can be seen in the Government’s commitment of more than £300 million to the Tyne and Wear metro, which the hon. Lady campaigned for, and in the historic devolution deal north of the Tyne. On top of that, this summer the first great exhibition in this country for 160 years will take place in Newcastle-Gateshead, showing that the north-east is at the heart of our northern powerhouse.

17. [905041] Martin Vickers (Cleethorpes) (Con): Although the people of northern Lincolnshire want nothing to do with the recreation of County Humberside or being linked into Yorkshire, they are very happy to be part of the northern powerhouse initiative. What specific proposals does the Minister have that would benefit my constituency?

Jake Berry: We are already investing some £67 million in the Humber and the Greater Lincolnshire local enterprise partnership, and I note that £20 million of that is going into my hon. Friend’s constituency. He will be aware that we committed in the industrial strategy to work on a business case for a Grimsby and Cleethorpes town deal. I hope that, in demonstrating that success, we can put our northern powerhouse towns at the heart of the northern powerhouse.

Jake Berry: I am certainly not going to take any lectures on the northern powerhouse from the hon. Gentleman, because after his election he described it as the “northern poorthouse”. Unlike Opposition Members, the Government are behind the north, not least by investing £13 billion in northern transport—more than any Government in history, including the Labour Government.

Topical Questions

T1. [905047] Liz Twist (Blaydon) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): I am delighted to have been appointed to this new role to deliver on housing—one of the Government’s top priorities is creating great places to live. In the past few weeks, my Department has announced important plans to tackle unprofessional estate agents and rogue managing and letting agents, as well as landlords who rent out dangerous and overcrowded homes.

I applaud my Department’s contribution to the magnificent Millicent Fawcett statue. The integrated communities strategy and the recent very moving anti-Semitism debate highlight the vital work being done to create a more united country, free from bigotry.

Liz Twist: I thank the new Secretary of State for his reply. Many people in Blaydon constituency feel strongly that green-belt land should be preserved, but without support for remediation it can be difficult to build houses on brownfield sites in former industrial areas, especially as the housing infrastructure grant is competitive. What steps is the Secretary of State taking to protect our green belt, to encourage building on brownfield sites and to prevent building on parks and green spaces, as Bexley Council proposes?

James Brokenshire: I am grateful to the hon. Lady for highlighting the importance of the green belt, about which I agree, and I share her desire to see more development on brownfield land. Yes, there are issues relating to funding for remediation, but there will obviously be careful consideration of the national planning policy framework, too.

T2. [905049] Mr Philip Hollobone (Kettering) (Con): The potholes in Kettering and across Northamptonshire are absolutely terrible. What role does the Minister’s Department have in liaising with the Department for Transport to ensure that the millions of extra pounds that local councils have been given to fill in potholes are actually being spent and used correctly?

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): My hon. Friend raises an absolutely excellent point. I know that he will welcome the Government’s increased funding for pothole remediation after the winter that we have had, but I will take his point on board and ensure that local authorities are deploying those funds as quickly as possible.

Yvonne Fovargue (Makerfield) (Lab): A recent survey, the first of its kind, into the working conditions of wellbeing and social workers, commissioned by the British Association of Social Workers, makes for sorry reading. Working conditions are described as extremely poor, and it is noted that nine out of 10 social workers feel strongly that green-belt land should be preserved, but without support for remediation it can be difficult to build houses on brownfield sites in former industrial areas, especially as the housing infrastructure grant is competitive. What steps is the Secretary of State taking to protect our green belt, to encourage building on brownfield sites and to prevent building on parks and green spaces, as Bexley Council proposes?

Rishi Sunak: The hon. Lady is right to point out the important work that social workers do across the country in caring for some of the more vulnerable in our society. I know that our colleagues in the Department of Health and Social Care are examining the exact issue that she mentions, and I am sure they will be making a report in due course.
T3. [905050] Henry Smith (Crawley) (Con): I very much welcome my right hon. Friend to his well deserved position as Secretary of State; it is a good appointment.

In Crawley, Forge Wood is the newest neighbourhood currently being developed, and it will deliver almost 2,000 houses. However, the infrastructure lag from Persimmon Homes and Taylor Wimpey is too long. What can be done to encourage developers to speed up the delivery of that infrastructure?

The Minister for Housing (Dominic Raab): I thank my hon. Friend. He will know that the Government are putting £4.5 million infrastructure funding into the Forge Wood scheme, but he is absolutely right that developers must do their bit and keep their commitments.

We are looking at this both in the consultation on the national planning policy framework and in developer contributions. We want to see those developer contributions treated more like contracts for delivery and less like the starting point for an endless haggle with local councils.

T4. [905051] Martyn Day (Linlithgow and East Falkirk) (SNP): The chief inspector of borders and immigration concluded in a report in March that the Government’s right to rent scheme had failed “to demonstrate its worth” in encouraging immigration compliance. Other research has shown that 51% of landlords are now less likely to consider letting to foreign nationals, so when will the Minister scrap this discriminatory policy?

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler): I will write to the hon. Gentleman.

T5. [905052] Chris Skidmore (Kingswood) (Con): More than 2,000 local residents signed my petition to protect Hanham cricket club from the threat of development, yet South Gloucestershire Council did not grant the site local green space designation in their policies, sites and places document due to a single objection from the landowner. Will the Minister confirm that, on its own, a landowner objection should not prevent treasured green spaces from being granted local green space designation?

Dominic Raab: The designation of a local green space needs to be consistent with the local planning framework. Landowners have an opportunity to make representations, but the final decision on designation rests with the local authority.

T6. [905053] Peter Aldous (Waveney) (Con): The all-party group on housing and care for older people, which I co-chair with the noble Lord Best, is launching later this afternoon its report on the housing needs of older people in rural areas, and it concludes that more work is required. Will my right hon. Friend meet the noble lord, me and the other inquiry members to consider how best to implement the report’s recommendations?

James Brokenshire: I am grateful to my hon. Friend for flagging up this important issue. I will certainly listen to the points that have been made, look at the report and see what consideration either I or my hon. Friend the Minister for Housing can provide to engage in its recommendations.

T7. [905054] Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): We are facing a housing crisis in both quantity and quality. The Housing, Communities and Local Government Committee outlined that one way to solve it would be selective licensing. Brighton and Hove put in an application in January, but five months later we are still waiting for the Secretary of State’s approval for the scheme. Will he make it one of his first acts in office to sign off the scheme, so that we can get on with improving our housing stock?

Mrs Wheeler: I thank the hon. Gentleman for his question on this very important matter. We are actually reviewing all licensing schemes across the whole country, and we will look into this one and get a decision to him as quickly as possible.

Mr William Wragg (Hazel Grove) (Con): What plans has my hon. Friend to tackle unfair leaseholds retrospectively, so that my constituents on new build estates in Offerton and Strines get a better deal?

Mrs Wheeler: My family will be delighted by how much exercise I am getting, jumping up and down. We are committed to tackling unfair leasehold practices, which is why we are working with the Law Commission to make buying a freehold or extending a lease easier, faster, fairer and cheaper. We want to ensure that leaseholders have the right support to deal with onerous ground rent, and we will consider further action if developers’ schemes to compensate individuals do not go far enough.

T9. [905056] Mike Kane (Wythenshawe and Sale East) (Lab): Given that local services face a funding gap of at least £5.8 billion by 2019-20, when will the Minister provide an update on the roll-out of the 100% business rates retention pilots and end the uncertainty faced by Manchester City Council and Trafford Council, which cover my constituency?

Rishi Sunak: I am delighted that Manchester, like several other authorities, is a beneficiary of the Government’s 100% business rates retention pilot, which is ensuring that local authorities keep an extra £1 billion this year. We will announce plans for a further round of pilots shortly after the local elections.

Several hon. Members rose—

Mr Speaker: Ah, yes—the good doctor. I call Dr Julian Lewis.

Dr Julian Lewis (New Forest East) (Con): Thank you, Mr Speaker.
May I welcome the substantial central Government grants that have been made to enable Jewish buildings to be better protected? But given that three quarters of all anti-Semitic incidents happen in Greater London and Greater Manchester, will the new Secretary of State seek out the Mayors of those two cities to see what more can be done to protect their Jewish communities?

James Brokenshire: I am grateful to my right hon. Friend for raising this significant and important issue. I pay tribute to the Community Security Trust for its work in providing safety and security in this area. I will certainly engage further not just with my right hon. Friend but with local government to ensure that we continue to make progress.

David Hanson (Delyn) (Lab): May I ask the Northern Powerhouse Minister when he expects to make a further announcement about the northern powerhouse commitment in relation to the growth deal in north Wales?

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Jake Berry): The north Wales growth deal is primarily the responsibility of the Secretary of State for Wales. I am happy to update the right hon. Gentleman by saying that we are making good progress in looking at the proposals from local authorities. Once we have completed that work, we will make an announcement shortly about the next steps for all local authorities involved.

Mr Marcus Jones (Nuneaton) (Con): There are five district councils in Warwickshire. Four are Conservative-led and one—Nuneaton and Bedworth—is run by Labour. Nuneaton and Bedworth Borough Council has the highest district council tax precept of the five, and one of the lowest satisfaction ratings. Does my right hon. Friend therefore agree that Conservative councils deliver better-quality services at a lower cost?

James Brokenshire: Absolutely. My hon. Friend makes a powerful and important point about the benefits of Conservatives leading local government.

Bambos Charalambous (Enfield, Southgate) (Lab): Will the Minister acknowledge that youth offending teams have achieved huge success in working with and supporting young people to prevent them from getting involved in crime? Will he therefore tell me why their funding has been halved from £145 million in 2010-11 to just £72 million in 2017-18, and why councils are still waiting to receive their youth justice grant allocations for 2018-19?

Rishi Sunak: I am not aware of the particular grant mentioned by the hon. Gentleman, but I am happy to look into it and write to him in due course.

Rachel Maclean (Redditch) (Con): The hon. Member for Nuneaton and Redditch (Andrew Gwynne) has now twice mentioned Worcestershire County Council and Northamptonshire County Council in the same breath in this place. Unfortunately, he seems to be trying to establish a false narrative. Is the Secretary of State aware that I have met Worcestershire County Council and received assurances that its finances are on a stable footing? To suggest otherwise seems simply to be scaremongering.

Rishi Sunak: My hon. Friend puts it very well, as she has done on previous occasions. It is not right to come to this place and scaremonger with regard to ordinary residents’ services. Worcestershire is delivering, and she is right to defend it.

Maria Eagle (Garston and Halewood) (Lab): May I welcome the new Secretary of State to his post and wish him well? Does he agree that no new house should be sold leasehold? There is no excuse for it. What steps will he take to help the many hundreds of thousands of people, including my constituents, who are now being financially exploited by their freeholds being sold on to dodgy characters?

Mrs Wheeler: I thank the hon. Lady for her very important question. The scandal over feudal leaseholds on new build is absolutely disgraceful. We are working very hard with the Law Commission to change the rules as to how this should go forward. I am delighted to say that some developers have got the point. In South Derbyshire, we now have big signs up on new build saying, “Freehold houses for sale here”.

Andrew Jones (Harrogate and Knaresborough) (Con): Harrogate Borough Council recently dedicated an additional £150,000 to tackle the root causes of local long-term homelessness. The Harrogate Homeless Project runs the initiative, which is called SAFE—Service for Adults Facing Exclusion. It has been widely praised and we are already seeing results. May I invite my right hon. Friend the Secretary of State to come and visit the project to see for himself the amazing results it is achieving?

James Brokenshire: I would be delighted to hear more about this project, which sounds as though it is making a big difference. That is what it is about: delivering on the ground.

Several hon. Members rose—

Mr Speaker: Order. I am sorry, but demand has exceeded supply, as per usual. We must now move on to the next business.
**Sainsbury and Asda Merger**

3.36 pm

Rebecca Long Bailey (Salford and Eccles) (Lab) (Urgent Question): To ask the Secretary of State for Business, Energy and Industrial Strategy if he will make a statement on the proposed merger of Sainsbury’s and Asda.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): On 30 April, J Sainsbury plc and Walmart Inc. announced that they had agreed terms in relation to a proposed combination of Sainsbury’s and Asda Group Ltd, a wholly owned subsidiary of Walmart, to create an enlarged business. There are no planned Sainsbury’s or Asda store closures as a result of the merger. The proposed deal is conditional on clearance by the Competition and Markets Authority.

The Competitions and Markets Authority will hold pre-notification discussions with the parties and, when it has sufficient information, will commence its phase 1 investigation. Usually, a phase 1 investigation will last up to 40 working days before the authority will decide whether to clear the merger or refer it on to a detailed phase 2 investigation. I understand that the parties have requested to fast-track straight to phase 2. As part of its competition inquiry, the CMA can look at the buying power of a merged company in relation to its suppliers and the impact that the merger would have on them. Decisions about mergers are taken independently of ministerial control and are subject to legal challenge. Under the Enterprise Act 2002, Ministers have the power to intervene in mergers only on public interest grounds covering national security, media plurality and financial stability.

Today, the Secretary of State and I have spoken to Sainsbury’s chief executive officer Mike Coupe, and Asda CEO Sean Clarke, so that we can better understand their plans. Additionally, I have today spoken to the Union of Shop, Distributive and Allied Workers and Unite unions, and I will speak to the GMB union immediately after leaving here. When I spoke to Len McCluskey this morning, I made it clear that I expect Sainsbury’s and Asda to conduct proper and thorough engagement with the unions. This afternoon, I have spoken to the Groceries Code Adjudicator, Christine Tacon, to reiterate the importance of ensuring that suppliers, particularly small and medium-sized enterprises, are treated fairly.

The UK’s merger regime is designed to offer clarity for businesses and to build investor confidence. Mergers are an important part of a dynamic economy, and the Government appreciate that they can bring real benefits to consumers and the economy as a whole by attracting inward investment. We will continue to monitor the situation closely.

Rebecca Long Bailey: The landscape for retailers has become increasingly difficult over recent years, and I am sure that the Minister shares my concerns regarding this deal, given its potential to squeeze competition in the market and the risks that it poses to workers, suppliers and consumers. He confirmed that there will be no store closures, but will he also confirm that there will be no job losses, no changes to pay, terms and conditions, and no closure of any sites within each company’s estates portfolio—distribution sites and offices, for example? If so, for how long will that promise be effective, and will he seek legally binding assurances?

It is clear that a duopoly of the big supermarkets—Tesco, and Asda and Sainsbury’s—will now emerge providing never-before-seen bargaining power. Indeed, the statement this morning included a promise to bring prices down for consumers, but it is feared that that will be at the expense of suppliers, farmers and manufacturers whose prices and terms will be driven down, pushing many to the edge of collapse. Can the Minister confirm that that will not be the case? In addition, does he agree that control of 60% of the market by the duopoly may pose a risk to consumer choice and provide less incentive to entice with good offers? If so, what assurances has he received in that regard? I am sure that he agrees that an urgent CMA investigation is imperative, but can he confirm that the CMA will prevent the integration of the companies during investigation, as it is entitled to do?

The Minister will agree that many of the risks associated with this deal do not bear directly on the CMA’s remit of testing whether there would be a substantial lessening of competition. As he said, he has no power to intervene directly in the merger as it does not meet the public interest tests of national security, media plurality and financial stability. Given that the deal could radically alter the whole grocery sector—from farm and factory to supermarket shelf—will he finally use his powers to broaden the scope of the public interest test to include deals of such economic and national significance, as he has been repeatedly asked to do?

Andrew Griffiths: I thank the hon. Lady for her important points. I share many of the concerns that she voices, but she says that the CMA’s remit does not extend to the substantial lessening of competition. Its role is to examine competition matters. If I misheard the hon. Lady, I apologise.

The CMA’s role is to consider the impact of this merger on not just competition in the marketplace, but suppliers. The hon. Lady rightly raised the impact that the merger could have on farmers and suppliers, and that was why the Secretary of State and I reiterated to Asda and Sainsbury’s when we spoke to them this morning the importance of their engaging with not just the CMA, but bodies such as the National Farmers Union and other unions to ensure that this is a proper process that we understand. The hon. Lady will know that section 172 of the Companies Act 2006 puts a duty on directors of the new company to have regard to the impact that their decisions would have on their suppliers, and we will be monitoring that very closely in the months to come.

We must also recognise, as the hon. Lady said at the very beginning of her contribution, that the retail sector is in a huge state of flux. We must all understand that the way in which consumers purchase these days is changing dramatically. There has been a 9% increase in sales through online vehicles in the last 12 months alone. That, by necessity, means that the retail sector has to change and adapt. One of the things that the merger will offer is reduced costs for the consumer, which I hope she will welcome. We all want to protect consumers and make sure they are getting great value.

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for money, and that is one of the things that the merger promises. I can assure her, from the discussions I have had with the CMA, the Groceries Code Adjudicator and both parties, that ensuring the supply chain is properly protected is one of the priorities and something that I guarantee we will keep a close eye on.

Mrs Anne Main (St Albans) (Con): The Minister said that he had a conversation with Mike Coupe about store closures this morning. Given that the CMA insisted that 53 stores were offloaded when the Safeway-Morrisons merger occurred in 2003, how can Mr Coupe give the Minister such an assurance, and what does the Minister have to say about that?

Andrew Griffiths: I thank my hon. Friend for that very important question. The reassurances I was given this morning were first that there would be no store closures and secondly that the head offices of both Sainsbury’s and Asda would remain open. Those are both very positive things. My hon. Friend mentions the forced sale of particular branches, and that is clearly a matter for the Competition and Markets Authority. When Sainsbury’s and Asda move on to the phase 2 investigation, they will get down to the granularity of the merger’s impact on particular villages, towns and cities. If there is a feeling that it will cause a lack of competition in the marketplace, the CMA has the power, when making a decision, to force the sale of stores to competitors to ensure that there is greater competition for the consumer.

Patricia Gibson (North Ayrshire and Arran) (SNP): The Secretary of State pointed out that the merger of Britain’s second and third largest supermarket chains will need to be approved by the Competition and Markets Authority and be scrutinised by regulators such as the Groceries Code Adjudicator, which was set up to protect small suppliers. As he said, the consumers’ voice is essential, and there are very real concerns that the merger will lead to reduced competition and be bad for shoppers, potentially hitting prices and the range of products available. Despite protestations to the contrary, fears remain that this could cost the jobs of the workers upon whose hard work these companies have been built. As we have heard, the Competition and Markets Authority may well demand that the combined group sells off some stores to prevent market dominance when there is both a Sainsbury’s and an Asda in the same area, but that can only be bad news for consumers and employees. Does the Secretary of State agree that the merger must not be at the expense of consumers’ interests or jobs, and will he commit to keeping the House updated on these important matters?

Andrew Griffiths: I thank the hon. Lady for her questions; she raises some very important points. Sadly, my responsibilities do not yet run to my being the Secretary of State, but I am grateful for the confidence and faith that she has shown in me.

In relation to the consumer, this is at the heart of what the CMA will consider. It will look at how this merger will affect our constituencies—people concerned about the price of a pint of milk or a loaf of bread—and it will be very attuned to such an impact. All the assertions made by both Sainsbury’s and Asda so far show that they believe that this will lead to a reduction in costs, and therefore a reduction in prices on the shelf. The CMA and the Government will of course be keeping a close eye on that, but Sainsbury’s and Asda believe that this will lead to better prices for the consumer.

Andrew Selous (South West Bedfordshire) (Con): How does my hon. Friend believe the Competition and Markets Authority will react to the situation in the middle of Dunstable, where we have an Asda and a Sainsbury’s pretty much next door to each other, and also a Morrisons, a Tesco, an Aldi, a Lidl and an Amazon fulfilment centre in quite close proximity?

Andrew Griffiths: My hon. Friend is spoilt for choice, I would say, and that is what we want to see. We want a dynamic marketplace with great competition between retailers to provide not only greater choice, but better prices. The CMA will clearly look at that—during the six-month phase 2 investigation, it will draw together all the information in relation to particular villages, towns and cities—and I confirm to my hon. Friend that if there is any concern about choice and competition in Dunstable, the CMA will act on that and, if it has to, it will force the sale of stores to competitors.

Mr Speaker: I am sure the hon. Member for South West Bedfordshire (Andrew Selous) is a regular visitor to all those retail outlets in his constituency, and doubtless those shopping alongside him are very delighted to brush shoulders with their local Member of Parliament.

Hilary Benn (Leeds Central) (Lab): Asda said this morning that it will continue to be run from its head office in the centre of Leeds, where just over 2,000 people are employed. Given that in the last few months there have been two rounds of job losses at Asda’s head office, and in the light of what the Minister has just said about the merger providing an opportunity to cut costs, what assurance can he give staff in the head office that their jobs are safe?

Andrew Griffiths: The right hon. Gentleman will understand that any merger will be designed to improve efficiency, productivity and value for money for shareholders. So far, we have been given reassurances by Asda and Sainsbury’s that there will be no store closures and no job losses in stores. I cannot confirm to him as yet the impact that the merger will have on the head offices, other than to repeat the confirmation that we have been given that both head offices will be kept open. However, this is a decision for the CMA. I urge the right hon. Gentleman and other right hon. and hon. Members to bear in mind that the CMA will make a decision based on the evidence. If right hon. and hon. Members have evidence to contribute, they should make their case to the CMA to ensure that it considers all this on the facts.

Robert Halfon (Harlow) (Con): I thank my hon. Friend for his statement. In Harlow, we have an Asda and a Sainsbury’s, and many hundreds of local jobs depend on those supermarkets. Although the companies say today that there will be no job losses, my concern is that in a year or so’s time, when this has all been forgotten about, hundreds of jobs will suddenly be lost
Andrew Griffiths: I can give the hon. Lady the assurance that I was given by both Sainsbury’s and Asda, which is that both head offices will continue to be maintained. Over recent months, we have seen the real pressure the retail sector is under with the loss of some very well loved and well known high street names as the result of a very challenging business environment.

I make no comment on the validity or the veracity of the merger details—that is for the CMA to decide—but clearly what we see is two businesses trying to get ahead of the curve and futureproof themselves in a very challenging market. The hon. Lady is a doughty champion for her constituents, so I am sure she will engage with both Sainsbury’s and Asda to seek further reassurances, but I can reassure her that that head office will remain open.

Sir Vince Cable (Twickenham) (LD): The Minister referred to the importance of online business in driving this merger. Can he explain how the CMA’s terms of reference enable it properly to take into account competition between domestic bricks-and-mortar businesses and global online corporations such as Amazon?

Andrew Griffiths: Very few people know this area of competition policy better than the right hon. Gentleman. As I have pointed out, phase 2 of the CMA investigation will involve drawing together a panel that will consider all the facts about the size of the market and the impact. As part of that, they will use all their resources to ensure that they fully understand not just, as he puts it, the bricks-and-mortar marketplace, but competition from online retailers.

James Cleverly (Braintree) (Con): I welcome the recent conversion of the hon. Member for Salford and Eccles (Rebecca Long Bailey) to the concept of liberal, free market competition—there is more joy in heaven over one sinner who repents and all that. Will my hon. Friend the Minister ensure that however the merger plays out, he will always promote diversity of provision and competition to give consumers the greatest freedom and choice?

Andrew Griffiths: As always, my hon. Friend makes his point extremely well. He is absolutely right that everybody benefits from a vibrant marketplace and increased competition. He will also understand that with my other hat on—as the Minister responsible for small business—I am keen to ensure that any merger such as this protects small suppliers and SMEs, which make up 99% of our business community and form the backbone of all our constituencies. Competition, yes, but it is hugely important that we have an eye to protecting those suppliers.

Rachel Reeves (Leeds West) (Lab): Following on from the question asked my right hon. Friend the Member for Leeds Central (Hilary Benn), Asda has been headquartered in Leeds for 50 years. It is a huge part of our civic and economic life and our infrastructure. Given the Minister’s answer and the lack of assurance that he has received in his conversations with Asda and Sainsbury’s, people working at the Asda head office will be incredibly concerned about their future. The industrial strategy is about rebalancing the economy away from London and the south-east. What assurances can he give that the merger will not rebalance the economy away from Yorkshire and towards London?

Andrew Griffiths: I understand very clearly the points my hon. Friend makes. He may not believe it to be a merger, but this is a merger within the legal definition that will be considered by the CMA. Clearly, there will be changes to the way the business is run to make it efficient and to keep it running well into the future. The assurances that Sainsbury’s and Asda have given us are that they will continue to run them as two separate businesses. I hope I can reassure my hon. Friend that, from the information we have been given, those head offices will continue.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Asda is a substantial employer in my constituency. With £500 million of efficiency savings coming down the track, will the Minister tell us what discussions he had, in the meeting with the chief executive officers, about how to protect jobs and the number of hours worked by employees? Each job loss has a massive impact on my community, which is already suffering under Tory austerity.

Andrew Griffiths: Asda and Sainsbury’s believe that the way to protect those jobs is by making the business efficient, effective and able to compete and improve its market share. The shareholders will be asked to vote to approve the merger deal, so they, too, believe that—otherwise they would not vote for it.

I think the hon. Lady needs to be careful not to cause undue concern. The public assurances provided by both Sainsbury’s and Asda so far are that there will be no job...
losses in stores and that there will be no store closures. Clearly, the aspiration behind the public utterances from Sainsbury’s and Asda is that they want their businesses to improve. The recent takeover by Sainsbury’s of Argos saw efficiencies and improvements in that business that lead to more people being employed. I am responsible for any merger and competition issues, which will be considered by the CMA. I urge her to engage with, and make her points to, the businesses themselves.

Several hon. Members rose—

Mr Speaker: Order. As always, I am keen to seek to accommodate the extent of colleagues’ interest in an urgent question, but I remind the House that there is a further urgent question to follow this and thereafter, a statement by the Secretary of State for International Development on the situation in Syria, which, judging by precedent, I anticipate to evoke much interest. Therefore, there is a premium on brevity from Back and Front Benchers alike.

Antoinette Sandbach (Eddsbury) (Con): Dairy farmers in my constituency supply milk to both Asda and Sainsbury’s. Will there be an easy way for those family-run businesses to be able to feed into potential efficiencies that may threaten the supply chain?

Andrew Griffiths: My hon. Friend makes an important point—I have dairy farmers in my constituency—and this is one of the issues that I have raised with Christine Tacon, the Groceries Code Adjudicator. My hon. Friend will know that in the last few weeks, in conjunction with the Department for Environment, Food and Rural Affairs, the Groceries Code Adjudicator and the Department for Business, Energy and Industrial Strategy, we have brought forward new proposals on dairy contracts to help exactly the kind of small suppliers that she talks about. In conversations with Sainsbury’s and Asda, both of them talk about the very real relationships that they have with their suppliers—with their dairy farmers. I hope that we can get some assurances to protect those relationships.

David Hanson (Delyn) (Lab): Just to be clear, suppliers will not be squeezed, head offices will stay open and stores such as those in Flint, where there is an Asda next door to a Sainsbury’s, will both be open in two years’ time. Has the Minister sought those assurances from the companies today?

Andrew Griffiths: Let me reiterate to the right hon. Gentleman that the matter of stores in the same town will be considered as part of the phase 2 investigation by the CMA panel. It will consider the impact of the merger on individual towns. If it believes that it is anti-competitive, that it will lead to a worse deal for the consumer if the two supermarkets—one being Asda, one being Sainsbury’s—stay open, and if it has concerns, it will force the sale to a competitor.

As my hon. Friend the Member for South West Bedfordshire (Andrew Selous) said, where there is a wider marketplace with a huge number of supermarkets, the CMA’s view may well be that there is no impact on competition in the town as a result of the merger. However, it is clear that this will be judged on a case-by-case basis, to protect the individual consumers in the right hon. Gentleman’s constituency and mine.

Chris Skidmore (Kingswood) (Con): Asda in Longwell Green and Sainsbury’s in Emersons Green have been huge economic success stories in recent years, taking on hundreds of extra jobs since 2010 without Government interference. Will the Minister confirm that it is not the Government’s duty to be heavy-handed about the business interests of companies, but instead to create the right economic climate that will create jobs for the future?

Andrew Griffiths: My hon. Friend is absolutely right: we want these businesses to grow and thrive. We want a dynamic retail sector. That is why, just last month, I established the Retail Sector Council to bring together the major players in the retail industry to ensure that the Government are creating exactly the conditions that he highlights, to allow these businesses to grow and prosper. But as I said, look at the facts: the combined company will employ some 330,000 people. We as a Government want to encourage those jobs—not to get in the way and prevent them.

Jenny Chapman (Darlington) (Lab): Although I am encouraged to hear the assurances about store closures and store jobs—I am also a former colleague at Asda—I encourage the Minister to be very careful about making assurances, particularly about Asda House, but also about jobs in distribution centres. Forces are at play that are far wider than just this merger—worrying though this is—and that will not be examined by the CMA. Specifically for me, the issue is automation in the logistics and warehousing sector, where I can imagine about 80% of jobs no longer existing in the future. That would particularly hit the north-east of England, south Wales and other areas that have become dependent on these jobs. As well as looking at this issue, the Government need to look more widely at those broader trends. Is the Minister going to do that?

Andrew Griffiths: I knew that the UK was a country of shopkeepers, but I had not realised that so many Members had retail experience in our supermarkets; it is encouraging to have such a well-informed debate. The hon. Lady raises issues about the supply chain and distribution sector. Clearly, that is not within the scope of the CMA investigation. The Enterprise Act 2002 clearly sets out the role that the Government and Ministers can play in relation to takeovers and mergers, and it is important that we stick to those established rules. That is what we will be doing in this case.

Stephen Kerr (Stirling) (Con): Following on from the Minister’s last comments, it is right that concerns be raised about jobs and consumer choice, but will he confirm that producers will be able to provide evidence to the CMA on the potentially devastating effect of this concentration of market power through this market consolidation?

Andrew Griffiths: Not only can I confirm to my hon. Friend that producers’ voices will be heard in the CMA deliberation—this six-month detailed process that will consider all the aspects, vertical and horizontal, of the merger—but I positively urge him to go back to his constituency, engage with his dairy farmers and small suppliers, and make sure they contribute to it to guarantee that their voices are heard.
Dr David Drew (Stroud) (Lab/Co-op): I hear what the Minister says about the dairy industry, but this is not just about the small producer; it is about the relationship between the producer, the processor and the retailer—and that has been a poisonous relationship for decades. How will this increased concentration at the retail end help that relationship?

Andrew Griffiths: Clearly, the hon. Gentleman has a great deal of experience in this area—I know that his constituency was badly affected by the foot and mouth outbreak and that he did a very good job at the time. The correct formula for finding a resolution for his constituency was badly affected by the foot and mouth outbreak and that he did a very good job at the time.

Andrew Griffiths: My hon. Friend is absolutely right. Huge strides forward were made in getting these jobs out of London and further north, and I know he has done a very good job in representing employees’ views. I can reassure him that their voices will be heard. He should convene a meeting, talk to the workforce and encourage them to contribute to the CMA inquiry.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I draw the House’s attention to my declaration in the Register of Members’ Financial Interests as a member of the GMB. I met members of the GMB in Asda in my constituency last year and other retail workers represented by the Union of Shop, Distributive and Allied Workers and Unite. Does the Minister understand the concerns in Cardiff, given the loss of almost 1,000 jobs in the last year at Tesco House in Cardiff, which affected many of my own constituents, and given that his Government’s own analysis on Brexit shows it will hit the retail and food and drinks sectors extremely hard in all the scenarios?

Andrew Griffiths: I understand the hon. Gentleman’s points, which is why one of the first things I did after being made Minister was to pick up the phone to the union representatives he talks about. We want to make sure that employees’ voices are heard and that there is proper engagement over the merger. It is clear, though, that in no way is this a response to Brexit. These are businesses based in the UK and competing in the UK, and the business will continue to be listed on the London stock exchange post the merger. I recognise the hon. Gentleman’s concerns, which he raises on behalf of his constituents, but perhaps we should stop playing politics with Brexit.

Mr Philip Hollobone (Kettering) (Con): The town of Kettering has a large Sainsbury’s and a large Asda. If this merger goes through, what Kettering shoppers and supermarket employees want to know is: will we still have both stores in two years?

Andrew Griffiths: I think that what Kettering’s shoppers and workers want to know is first that they have choice and competition and secondly that those jobs are protected. If both supermarkets are thriving, either the Competition and Markets Authority will decide that there is no competition issue and allow the merged company to continue to run both, or it will say that there is a competition issue and that it has concerns for my hon. Friend’s constituents, and it will force one of them to be sold to a competitor who will, hopefully, run it just as effectively.

Christian Matheson (City of Chester) (Lab): May I press the Minister on the question of distribution depots, which Mr Coupe has chosen not to protect? I remind the House that many of the distribution sites were established because of the decline in manufacturing to replace manufacturing jobs. What assurances will the Minister seek from Mr Coupe and his fellow directors to guarantee that the jobs remain in those difficult areas?

Andrew Griffiths: I understand the point that the hon. Gentleman makes. He is clearly concerned about those jobs. There are a number of distribution jobs in my own constituency, Burton being at the centre of the country and well connected.

Let me make two points. First, the number of supermarkets being serviced will be the same, so the number of lorries, distribution outlets and goods being shipped will also be the same. Secondly, I have no power over the issue of jobs in relation to mergers. The Enterprise Act 2002 limited such powers. While we can have conversations, I urge the hon. Gentleman to do the same to protect those jobs.

Andrew Jones (Harrogate and Knaresborough) (Con): Having previously been a supplier to both companies, I read about the proposed deal with much interest. Can my hon. Friend confirm that the implications for all parties will be considered—particularly the implications for the smaller regional food producers?

Andrew Griffiths: Let me say again that, as the Small Business Minister, I am particularly attuned to that issue. I think that all of us, as consumers and as parliamentarians, want those small food producers—those artisanal businesses—to grow and thrive. Both Asda and Sainsbury’s have given assurances that they want to continue those important relationships. However, the Competition and Markets Authority, within its powers, will consider the impact on the supply chain.

Susan Elan Jones (Clwyd South) (Lab): Does the Minister think that this is a good deal or a bad deal for British farming?

Andrew Griffiths: I think the hon. Lady will understand that it is a deal that must be considered by the shareholders of both Asda and Sainsbury’s. It would be inappropriate for me as the Minister, given my role, to pass judgment on its validity or veracity.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): The Minister said that he had had discussions with the National Farmers Union. Many in the agricultural sector already think that the large supermarkets have too much power over buying and prices. What assurances can the Minister give the farmers, growers and food
producers in my constituency—[Interruption.] What assurances can the Minister give them that they will be able to work on a level playing field and obtain fair prices for their produce?

Andrew Griffiths (Bury North) (Con): My hon. Friend can hear for herself the support that there is in the House for the suppliers, growers and farmers in her constituency.

Let me clarify one issue. I did not say that I had spoken to the NFU; I said that I had urged both Sainsbury’s and Asda to engage with the NFU to understand the position properly. As I have said, the CMA will be concerned about the impact on the supply chain, but, just as important, the Groceries Code Adjudicator will also be there to champion the small producers to whom my hon. Friend has referred.

Chris Elmore (Ogmore) (Lab): Sadly for the Minister, here is another question from a Member who started his working life in a supermarket—luckily, probably, only as a butcher in Tesco, but there we are.

Does the Minister agree that it is unacceptable to keep workers waiting until 2019 for certainty about their jobs, as indicated in the CMA’s statement? What will he do to try to improve the process as soon as possible?

Andrew Griffiths: I can honestly say that Tesco’s loss is the House’s gain.

I recognise that this is an uncertain time for workers—that is why we have engaged with the unions to try to give them as much reassurance as we can—but this is clearly a complicated and complex process. These are huge businesses, and we need to understand properly the impacts that the merger will have—not just on jobs in those businesses, but on the supply chain and competition throughout the country. While I am keen for us to secure a resolution as quickly as possible, I think that, unfortunately, we must let the process run its course.

Tom Pursglove (Corby) (Con): A new Asda store recently opened in Raunds; that has been particularly welcome for my constituents because of the positive impact it has had on petrol prices. What timescales does the Minister envisage for this process and is he aware of any impact on portfolio investments?

Andrew Griffiths: Those are important questions. If there is a phase 1 investigation, that will take 40 days. As I have said, both parties are urging the CMA to consider a fast-track approach. If it does that, phase 2 could be completed in six months. I can reassure my hon. Friend that the CMA will take representations. If he would like to meet personally with the CMA, I would be delighted to try to help facilitate that.

Rachael Maskell (York Central) (Lab/Co-op): The Foss Islands Sainsbury’s and Asda are also adjacent to each other, and staff will have woken up this morning to hear the announcement not from their employers but on the radio. What is the Minister doing to ensure staff get the support now that they need?

Andrew Griffiths: We have engaged with Sainsbury’s and Asda to urge them to speak to their staff, and we have also engaged very openly and honestly with the trade unions. We want to see proper and early engagement and consultation in this process to ensure that the workforce is protected, but the public assurances that both Sainsbury’s and Asda are giving at present are that all the stores, and all the jobs in the stores, will be protected.

Justin Madders (Ellesmere Port and Neston) (Lab): We know in takeovers and mergers of this nature that, as sure as night follows day, it is the workers who end up paying for the efficiency savings that have been set out. I have to say that, given the number of assurances the Minister has talked about today, I think attacks on terms and conditions are almost inevitable. When that happens in two years’ time, what will the Minister do?

Andrew Griffiths: The rules under which we operate in relation to mergers and takeovers were established in the Enterprise Act 2002 under a Labour Government. They have worked well and allowed businesses to grow, develop and merge to the benefit of both shareholders and the employers. The Department is, of course, closely following what is going on, but decisions in relation to this merger are for the CMA.
Windrush

4.19 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab) (Urgent Question): To ask the Prime Minister if she will make a statement on the Government’s handling of the Windrush crisis.

The Secretary of State for the Home Department (Sajid Javid): I am honoured to have been asked this morning to become Home Secretary. I start by making a pledge to those of the Windrush generation who have been in this country for decades and yet have struggled to navigate through the immigration system: this never should have been the case, and I will do whatever it takes to put it right.

Learning about the difficulties that Windrush migrants have faced over the years has affected me greatly, particularly because I myself am a second-generation migrant. Like the Caribbean Windrush generation, my parents came to this country from the Commonwealth in the 1960s; they too came to help to rebuild this country and to offer all that they had. So when I heard that people who were long-standing pillars of their communities were being impacted for simply not having the right documents to prove their legal status in the UK, I thought that that could be my mum, my brother, my uncle or even me. That is why I am so personally committed to, and invested in, resolving the difficulties faced by the people of the Windrush generation who have built their lives here and contributed so much.

I know that my predecessor, my right hon. Friend the Member for Hastings and Rye (Amber Rudd), felt very strongly about this, too. Mr Speaker, please allow me to pay tribute to her hard work and integrity and to all that she has done and will continue to do in public service. I wish her all the very best. I will build on the learning about the difficulties that Windrush migrants have faced over the years has affected me greatly, particularly because I myself am a second-generation migrant. Like the Caribbean Windrush generation, my parents came to this country from the Commonwealth in the 1960s; they too came to help to rebuild this country and to offer all that they had. So when I heard that people who were long-standing pillars of their communities were being impacted for simply not having the right documents to prove their legal status in the UK, I thought that that could be my mum, my brother, my uncle or even me. That is why I am so personally committed to, and invested in, resolving the difficulties faced by the people of the Windrush generation who have built their lives here and contributed so much.

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We have made it clear that Commonwealth citizens who have remained in the UK since 1973 will be eligible to get the legal status that they deserve: British citizenship. That will be free of charge, and I will bring forward the necessary secondary legislation. We have also been clear that a new compensation scheme will be put in place for those whose lives have been disrupted. We intend to look at that carefully. Right here and now, 100 people have already had their cases processed and re-entry? We will also soon want to know more about compensation and its levels.

The Windrush generation was my parents’ generation. I and most British people believe that they have been treated appallingly. The Home Secretary will be judged not on the statements he makes this afternoon, but on what he does to put the situation right and to get justice for the Windrush generation.

Sajid Javid: I thank the right hon. Lady for her kind remarks at the start. She asks whether Members are aware of just how angry so many people from the Windrush generation are. Of course we are aware. My predecessor was aware and the Prime Minister was aware, which is why they rightly issued apologies for the treatment of some members of that generation. I am angry, too. I shared with the right hon. Lady just a moment ago just how angry I am and the reasons why I am angry. Like her, I am a second-generation migrant, and I know that she shares that anger, but she should respect the fact that other people share it, too. She does not have a monopoly on that.

The right hon. Lady asks whether I am aware that the same issues could—I stress “could”—have an impact on other Commonwealth citizens, perhaps people such as my parents and others from south Asia who settled in this country. I am aware that that could be the case and I intend to look at that carefully. Right here and now, though, all the cases that have come up relate to the Windrush generation of people from the Caribbean who settled in Britain. That is why they are rightly the focus.

The right hon. Lady claims that protections were removed in 2014, but no such protections have been removed. People who arrived pre-1973 have the absolute right to be here, and that has not changed.
The right hon. Lady asks whether I am aware of anyone who may have been wrongly deported. I am not currently aware of any such cases, but I stress that intensive work is being done right now in the Department, going back many years and looking at many individuals, so I will keep the House updated on that.

The right hon. Lady closed her remarks by rightly reminding everyone that her parents were members of the Windrush generation. My parents were also part of the generation of migrants who came to this country in the 1960s. I hope that she can work with the Government to help those people.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): Notwithstanding my sadness at my right hon. Friend’s predecessor’s departure, may I unreservedly welcome him to his new position as Home Secretary? He is absolutely right to have divided the subject clearly. Those who were wrongly taken up in the drive to get those who are here illegally out of the country should have their rights restored; they should be dealt with appropriately and helped accordingly. Does my right hon. Friend agree?

Sajid Javid: I welcome my right hon. Friend’s remarks. I very much agree with him that our first priority is to help those members of the Windrush generation who have been affected. I also remind people that there is a separate issue of illegal immigration, and everyone in the country expects us to deal with that.

Joanna Cherry (Edinburgh South West) (SNP): I welcome the Home Secretary to his place and congratulate him on his appointment. It is only right to acknowledge the fact that he is the first person from a black and minority ethnic background to hold the office of Secretary of State for the Home Department.

I also acknowledge that the Home Secretary’s predecessor has done the right thing in resigning, given the circumstances in which she found herself. It was her misfortune to preside over a mess of the Prime Minister’s making. Although I have my political differences with the right hon. Member for Hastings and Rye (Amber Rudd), I wish her all the best for the future.

A mere change of personnel at the Home Office will not resolve the underlying causes of the Windrush scandal. What has happened to the Windrush generation is not an accident, nor is it a mistake or the work of overzealous Home Office officials; in fact, it is the direct result of the unrealistic net migration targets set by the Prime Minister when she was Home Secretary and of the “hostile environment” created on her watch. It is the Prime Minister who created the fundamental reasons for the Windrush scandal. If the policies that she put in place are not changed by the new Home Secretary, we will have more disgraceful instances of maltreatment of people who have every right to be in the United Kingdom. EU nationals in particular are concerned about what awaits them after Brexit, for all the fine words of assurance.

I therefore have the following questions for the new Home Secretary. Will he commit to a root-and-branch review of the immigration policies that have led to this disaster? Will he commit to an evidence-based immigration policy that, in the words of the director general of the CBI, puts people before numbers and works to benefit our economy and society? Will he look seriously at the concerns of EU nationals living in the UK? And will he look at the clear evidential case for the devolution of powers on immigration to the Scottish Parliament, in recognition of Scotland’s particular demographic needs?

Mr Speaker: While it is always a pleasure to listen to the mellifluous tones of the hon. and learned Lady, who is a distinguished practitioner at the Scottish Bar, I hope I can be permitted gently to point out that she has nearly doubled her time allocation.

Michael Fabricant (Lichfield) (Con): She gets paid by the minute.

Mr Speaker: She does not get paid by the minute. [Laughter.] I remember one very distinguished lawyer in this place in the last Parliament who I rather fancy had been paid by the word.

Sajid Javid: I thank the hon. and learned Member for Edinburgh South West (Joanna Cherry) for her kind remarks about my predecessor. She asked a number of questions, but she started by saying it is not just about a personnel change. Of course, it is not; it is about action and having the right policies, and that is certainly what she will see from my Department.

The hon. and learned Lady talked about the kind of immigration policy she would like to see. I commit to a fair and humane immigration policy that, first, welcomes and celebrates people who are here legally—people who have come in the past or who are looking to come, and who want to do the right thing and contribute to our country—and what they have to offer our great country, but that at the same time clamps down decisively on illegal immigration.

Damian Green (Ashford) (Con): I assure my right hon. Friend that he will receive very strong support from Conservative Members in his new job, which I am sure he will find stimulating and challenging in equal measure. Can he give some more detail on the progress of the special taskforce set up in the Home Office to deal with the Windrush problems? Clearly, the best way to remove the anxiety that so many people are feeling is to ensure that the taskforce gets on with its job quickly and gives people the assurance that they are getting the rights they have always deserved.

Sajid Javid: I thank my right hon. Friend for his comments. The taskforce was set up on 17 April and it has already looked at a number of cases. It has received some 6,000 calls, of which we estimate some 2,500 fall into the category of the Windrush generation. They are all being dealt with by an experienced case officer in a sympathetic way. More than 500 appointments have been scheduled and more than 100 cases have already been successfully resolved.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I welcome the right hon. Gentleman to his new post and the statement he has made about supporting
Windrush families, whom we all agree have been shamefully treated, as my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) said. Given the number of Home Office decisions that were got wrong in these Windrush cases, is he concerned about a wider culture of disbelief, about whether a net migration target is distorting decisions and about the lack of checks and balances in the system to prevent injustice? As well as responding to the questions the Select Committee sent on Friday, will he look again at reinstating independent appeals and legal aid to prevent injustice in future, because this is not just about a fair immigration system; it is also about the kind of fair country we all want ours to be?

Sajid Javid: I thank the right hon. Lady for her remarks. I look forward to working with her, particularly on the work she does as the Chair of the Select Committee, and to the scrutiny that she will no doubt continue to provide. She asked a number of questions and I will take a lot of that away and think about it a bit more, if she will allow me. On targets, there were some internal migration targets and I have asked to see what they were before I take a further view on them.

Sir Peter Bottomley (Worthing West) (Con): May I say to my right hon. Friend that if he does as well in this as he did on leasehold in his previous job, everyone will be grateful? May I also say to him that where people of my generation, who might have been Windrush generation, have been on the electoral roll for 30 or 40 years, it should be up to somebody else to prove that they were not on it. I do not want any person who has legally settled here, whether from Europe or any other part of the world, to go through the same experience.

Sir William Cash (Stone) (Con): Will my right hon. Friend give serious attention to the introduction, as soon as reasonably possible, of not only secondary but primary legislation, to deem that all those caught up in this deeply regrettable omission, which has built up over decades, will have the same legal status as those who benefited from the provisions of the Immigration Act 1971, while at the same time controlling all illegal immigration?

Sajid Javid: I refer my hon. Friend to the comment I made earlier, when I said that I will do whatever is necessary to help, which means considering all legislative options, if necessary.

Ms Karen Buck (Westminster North) (Lab): May I press the Secretary of State further on legal aid? Is it not the case that at the very moment at which people who had a perfectly legitimate right to be in this country were facing a hostile state, the means by which they could secure advice, advocacy and representation was removed from them? Will he ensure that nobody who now faces a similar situation will be denied the opportunity to get such advice and help?

Sajid Javid: I listened carefully to what the hon. Lady said, and she makes an important point about legal aid. I do not want any person who has legally settled here, whether from Europe or any other part of the world, to go through the same experience. I refer my right hon. Friend to the comment I made earlier, when I said that I will do whatever is necessary to help, which means considering all legislative options, if necessary.

Anna Soubry (Bromsgrove) (Con): I congratulate my right hon. Friend on his appointment and pay handsome tribute to his predecessor.

The Windrush scandal really should not have taken us by surprise: it is the natural consequence of a system that has as its default position an assumption that a person is here illegally, with the onus being on the applicant to prove that they are here legally. That is the problem. A person has to prove that they are who they say they are and have a right to be here. Too often in offices, as a result of policy—let us not shift the blame—the default position is that the computer says no. Will my right hon. Friend undertake to have a radical rehaul of
all these policies, so that we shift the onus back on to the state to prove that a person does not have a right to be here?

Sajid Javid: I thank my right hon. Friend for her remarks. I can make this commitment to her. We need to make sure that when dealing with inquiries from the public, the immigration system behaves more humanely and in a more fair sense, and that it takes more into account what I would call the obvious facts, rather than just asking for a piece of paper to prove everything. I will look into the matter very carefully.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I say to the new Home Secretary that it is not that, as he says, this could be happening to a wider group of people than those in the Windrush generation, but that it is happening, and it is because of the “hostile environment” policy, the cuts and pressures in his Department and the cuts to legal aid, discretion and appeals. How many people are his Department aware of who have been wrongfully deported or detained? In the midst of last week’s discussions, we were told that the Home Office was going to scrap the net removal target that has been at the heart of this argument; will the Home Secretary commit now to removing it?

Sajid Javid: First, if the hon. Gentleman knows of any cases of other affected people of which he thinks my Department might not be aware, please will he make me aware? He asked whether I am aware of any cases of wrongful deportation; I am not currently aware of any cases of wrongful deportation. He talked about the so-called hostile environment; let me say that hostile is not a term that I am going to use. It is a compliant environment. I do not like the term “hostile”. The terminology is incorrect and that phrase is unhelpful, and its use does not represent our values as a country. It is about a compliant environment and it is right that we have a compliant environment. The process was begun under previous Governments and has continued. It is right that we make a big distinction between those who are here legally and those who are illegal.

Heidi Allen (South Cambridgeshire) (Con): I congratulate the Secretary of State on his new position, but share my regret that we have lost the right hon. Member for Hastings and Rye (Amber Rudd), a parliamentarian of the highest calibre, from the Cabinet. Given the devastating impact on the lives of the Windrush generation of getting this policy or its implementation wrong, will he commit to ensuring that we do not repeat these mistakes with EU citizens on whose skills our country also greatly relies, plus develop a people-focused immigration policy that welcomes the contribution and skills that this country will need now and in the future?

Sajid Javid: I very much agree with my hon. Friend on the contribution that EU citizens have been making for many decades to our country, and that they continue to make. That is why I am absolutely committed to following through on our commitment so far that those who want to stay can stay that we make that as easy as possible for them and that we celebrate their contributions.

Caroline Lucas (Brighton, Pavilion) (Green): The Secretary of State pledges a fair and humane immigration policy. Will he put those words into action by ending the practice of brutal mass deportations by charter flight?

These secretive flights are routinely used to send people to countries from which they may have fled in terror for their lives or with which they have little or no connection. Given the Home Office’s poor history of decision making and that it is almost impossible for people to appeal from abroad, does he agree that this cruel practice should end?

Sajid Javid: What I commit to is making sure that, at all times, our immigration policy is fair and humane. If the hon. Lady wants to write to me about what she thinks needs to be done, I will look at it.

Nick Boles (Grantham and Stamford) (Con): I congratulate my right hon. Friend on his new job, though I wish that the circumstances of his elevation had been different. We need a new immigration policy for after Brexit. May I urge him—I believe that I speak for everyone on the Conservative Benches—to put his own stamp on that policy? We want to see the policy of the Home Secretary, one of the four great offices of state, and if that means retiring some legacy policies then so be it.

Sajid Javid: Having worked with me in a previous Department, my hon. Friend will know that in every Department in which I have worked, I have almost certainly put my own stamp on it.

Clive Efford (Eltham) (Lab): There is no question but that the commitment to get net migration down to the tens of thousands led to the “hostile environment” that affected the Windrush people. The Prime Minister recommitted the Government to that policy on 8 May during the previous general election. It seems inconceivable that she would make such a policy statement and then pay no attention to how that policy was delivered. I do not expect the Secretary of State to have the details now, but can he write to me, and put a copy in the Library, of all the occasions when that has been on the agenda when his Department has met the Prime Minister to discuss how to deliver reducing net migration to the tens of thousands?

Sajid Javid: I would be happy to write to the hon. Gentleman.

Philip Davies (Shipley) (Con): I congratulate my right hon. Friend on his new job. He is absolutely right to focus his attention immediately on righting the wrong that has happened to the Windrush generation and the terrible way in which some of them have been treated, and I cannot think of anybody better to do the job than him. Will he also assure the House that he will not use this issue as a Trojan horse, like the Labour party has, and go soft on illegal immigration? Once people have gone through the full process and through the court system and are found to have no reason to be here, there should be a target for removing them from the country, and that target should be 100%. Anyone in this House who does not think that is out of touch with the vast majority of people in this country.

Sajid Javid: My hon. Friend rightly says that we should focus on the immediate issue of helping in every way we can those from the Windrush generation who have been affected; we share that determination. He also rightly pointed out that helping in every way we can those people who are here legally is perfectly consistent with having a compliant environment that ensures that everyone has to abide by the same rules on immigration.
Chuka Umunna (Streatham) (Lab): The Home Secretary has a golden opportunity to turn the page on a toxic debate around immigration in this country, so he should dump the net migration target or at least take students out of it. Why do we not focus more on how we better integrate immigrants who come to this country, rather than attack them? The right hon. Gentleman said that he is the son of an immigrant—I am too—but what is he actually going to change and do differently from his two predecessors? All the warm words are great, but what will he do differently to stop this happening again?

Sajid Javid: With respect, I have had only about seven hours in the Department. If the hon. Gentleman gives me a little more time, I will set out what I am going to do.

George Freeman (Mid Norfolk) (Con): I congratulate my right hon. Friend on becoming the first Muslim Home Secretary. Having worked with him, I know that there is no one better to sort out this mess. I also pay tribute to his predecessor, who did the very honourable thing.

Does the Home Secretary agree that we need to remember while sorting out this mess that it is due, in no small part, to the last Labour Government’s illegitimate open-doors immigration policy? Many of us at the time warned that the policy would trigger huge problems for those who had come here happily and settled here as citizens; and so it has come to pass. Does he also agree that the Conservative party should take no lectures from the Labour party, as we have given the country its first woman Prime Minister, second woman Prime Minister and first Muslim Home Secretary?

Sajid Javid: As always, I very much agree with my hon. Friend.

Kate Hoey (Vauxhall) (Lab): I welcome the right hon. Gentleman to his new position. He once again points out the important distinction that they are experiencing?

Sajid Javid: From the Labour party, as we have given the country its first generation, immigrant. The fact that we are both sitting on these Benches is a testament to how open and welcoming our country and, in fact, our party is to new immigrants. In the Secretary of State’s previous role, he would have been overseeing plans this year to commemorate the 70th anniversary of the Empire Windrush arriving in the UK, so he knows that this is not just an immigration issue, but a communities issue. Will he tell us of any opportunities that he may see for cross-departmental working to ensure that this situation does not happen again?

Mrs Kemi Badenoch (Saffron Walden) (Con): I welcome the Secretary of State to his new role. Like him, I have an immigrant background. I am not a second generation, but a first generation, immigrant. The fact that we are sitting on these Benches is a testament to how open and welcoming our country and how much we respect everything that they have done for us.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): I welcome the right hon. Gentleman to his new role and recognise his achievement as the first British Asian to be appointed to one of the four great offices of state.

On 17 April, I asked a named day parliamentary question of the Home Secretary’s predecessor requesting the number of Windrush citizens who have been denied or charged for NHS treatment. The answer was due a week ago, but it has not arrived. Will he please now tell the House how many of the Windrush generation have been charged for or denied NHS treatment? One such case would be one too many. What is he going to do about it?

Sajid Javid: First, I thank the hon. Lady for her opening remarks. I do not have the information she has requested. I am sorry that she has not received the reply to her named day PQ. I will certainly look into that when I go back to my office.
Mr Marcus Jones (Nuneaton) (Con): I congratulate my right hon. Friend on his appointment. Having worked closely with him, I know that he will do a diligent and good job. I welcome his statement. He is absolutely right. The Windrush generation have every right to be here legally. They are British citizens. My constituents expect that everything that can be done will be done to make sure that we regularise their legal position. My constituents also expect this Government to tackle illegal immigration. I would be grateful if my right hon. Friend gave them reassurance on both fronts.

Sajid Javid: Yes, I can give my hon. Friend’s constituents an assurance on both those issues. We will absolutely do everything we can, and go much further if we have to, to help in every way with the problems that some members of the Windrush generation are facing. At the same time, we will maintain our policies around illegal migration, because that is exactly what the British public wish to see.

Alan Brown (Kilmarnock and Loudoun) (SNP): The new Home Secretary does not like the phrase, “hostile environment”, but it came from his boss, the Prime Minister. It was she who presided over the immigration targets, she who introduced the “Go Home” vans, and she who allowed the Home Secretary’s predecessor to make a speech at the Tory party conference about targeting companies taking on foreign workers. That is the “hostile environment” that this Government have created. When will the Prime Minister accept personal culpability for Windrush and the net effect of the hostile environment?

Sajid Javid: I can tell the hon. Gentleman. Gentleman that the phrase “hostile environment” actually existed under successive Governments, and began under a previous Labour Government. But this is not about which party introduced a phrase; my point was that I do not like the term, “hostile”, and I will not be using it.

Several hon. Members rose—

Mr Speaker: Order. Given the level of interest, the House’s propensity for rehearsed mini-speeches as prefaces to questions needs today to be curtailed. I am looking for short, preferably single-sentence inquiries. I am looking, in fact, in the direction of the author of the textbook on the matter, the right hon. Member for New Forest West (Sir Desmond Swayne), but I do not know if he was standing. No. What a pity: he could have educated colleagues.

Sir Desmond Swayne (New Forest West) (Con): I will have a go.

Mr Speaker: Well done—very well done indeed! Splendid fellow!

Sir Desmond Swayne: While I know that the Home Secretary favours the word, “compliance”, some of us believe that hostility to lawbreaking is a proper response.

Sajid Javid: I think we both agree that we must have a compliant environment.

Stephen Timms (East Ham) (Lab): Unlike the right hon. Member for New Forest West (Sir Desmond Swayne), I welcome the Home Secretary’s rejection of the “hostile environment” policy. It has affected many alongside the Windrush generation. More than 30,000 students, mostly from the Indian subcontinent, had their visas cancelled midway through their studies because of allegations, which I believe are largely untrue, of cheating in the test of English for international communication. I will write to him about their plight. Will he undertake to look carefully at the case of TOEIC students?

Sajid Javid: Yes.

Robert Halfon (Harlow) (Con): Just as my right hon. Friend did in his previous Department in fighting anti-Semitism, looking after the victims of Grenfell and championing affordable housing, will he make social justice a defining part of his mission in his new role, so that something like the Windrush saga can never happen again?

Sajid Javid: I can make that commitment. Every part of this Government is committed to furthering social justice, and that will be at the heart of my Department.

Ruth Smeeth (Stoke-on-Trent North) (Lab): To follow on from my right hon. Friend. Friend the Member for Leeds Central (Hilary Benn), such is the chaos of our immigration system post the Windrush crisis that a gentleman called my office this morning asking whether he was going to be “Windrushed”. He arrived here from Italy in 1967 at the age of seven. What does the Home Secretary want to say to him?

Sajid Javid: First, I am sorry that the gentleman whom the lady refers to has those concerns and that anxiety. No one wants anyone to suffer in that way. I do not know if she has already passed the details to my Department, but if she does, I will certainly look at that.

Helen Whately (Faversham and Mid Kent) (Con): As a Kent MP, I fully recognise the mixed blessing of the UK as an attractive place to live for migrants, both legal and illegal. Will my right hon. Friend assure me that the Windrush generation and all cases dealt with by the Home Office will be treated with humanity and compassion?

Sajid Javid: I can give my hon. Friend that assurance.

Marsha De Cordova (Battersea) (Lab): I welcome the right hon. Gentleman to his new post. It is rumoured that there will be a chartered flight this week deporting people back to Jamaica. Can the Home Secretary confirm whether a flight is scheduled, and if so, whether there will be any individuals on that flight from the Windrush generation?

Sajid Javid: I can tell the hon. Lady that I am not aware of any such information, but I will take a close look.

Johnny Mercer (Plymouth, Moor View) (Con): The Windrush scandal is appalling—there is no doubt about it—but there seems to have been some wilful conflation here, not helped by the crashing irony of the shadow Home Secretary talking about my right hon. Friend the Member for Hastings and Rye (Amber Rudd) not being on top of her brief. Will the Home Secretary outline to me and others in Plymouth what exactly is wrong with a compliant policy—I know he does not like the word “hostile”—on illegal immigration, which is what we want to see from this Government?
Sajid Javid: I am happy to tell my hon. Friend that the answer is absolutely nothing. It is right that we have a compliant environment when it comes to immigration, and in fact when it comes to all laws, to make sure that those laws are enforced. It is not just the right thing to do for everyone in the country, but it is particularly right for migrants who come here legally and wish to settle in our country. They also want to know that that is the correct route and that those who are here illegally will be dealt with.

Naz Shah (Bradford West) (Lab): First, from the daughter of a Pakistani migrant to the son of a Pakistani migrant, mubarak upon your appointment.

DCLG played an integral part in the implementation of the “hostile environment” policy under the right hon. Gentleman’s watch. Can he outline exactly what he did to resist that? Can he confirm that he now has permission to bring the axe down on his own Prime Minister’s shocking and shameful legacy in the Home Office?

Sajid Javid: I thank the hon. Lady for her opening comments. She talks about the compliant environment. The Immigration and Asylum Act 1999, the Nationality, Immigration and Asylum Act 2002 and the Immigration, Asylum and Nationality Act 2006 were introduced not by this Government but by the previous Labour Government. Many Governments have been working consistently to make sure that we have a compliant environment.

Mrs Helen Grant (Maidstone and The Weald) (Con): I welcome my right hon. Friend to his new role. Having worked with him, I know what a good, compassionate and caring man he is, and I know he will make an excellent Home Secretary.

The Windrush generation and their children, some of whom sit in this House, have made an enormous contribution to the making of modern Britain. Does my right hon. Friend agree that we must do more to celebrate and communicate the enormous role that they play and have played over the years? With that in mind, will he agree on his first day in the job to meet with me, or even better visit with me, Paul Reid, the director of the Black Cultural Archives, based at 1 Windrush Square in Brixton, to discuss the excellent work it does not just in the community but for the nation?

Sajid Javid: That sounds like a very worthwhile invitation. I very much agree with my hon. Friend. That the contribution made to this country by the Windrush generation is immeasurable, and we should all celebrate that when it comes to the 70th anniversary.

Christine Jardine (Edinburgh West) (LD): Will the Secretary of State assure me that the targets about which we have all heard so much and, although he does not like the term, “hostile environment”, are not being used to encourage civil servants and officers to pursue people who are legally in this country and are British citizens, but who are now—like a constituent of mine who has been affected—being asked to prove once again that they are entitled to the passport they already hold?

Sajid Javid: I refer the hon. Lady to the comment I made a moment ago, because it is just as relevant: there were some internal migration targets, but before I comment further, I would like to take a closer look at them and form a view.

Douglas Ross (Moray) (Con): I welcome my right hon. Friend to his new position. The actions taken by my right hon. Friend the Member for Hastings and Rye (Amber Rudd) were widely welcomed by the high commissioner of Barbados when he met the Home Affairs Committee last week, but the Home Secretary’s predecessor accepted that there was an issue with confidence in the measures put forward. What does my right hon. Friend think all Members across the House can do to ensure that the Windrush generation have confidence to come forward and to believe that the system will work for them, not against them?

Sajid Javid: I will continue to look at what further measures we can take to build confidence in the measures put in place, particularly the hotline and the taskforce. One thing we have made very clear, and I am happy to repeat it now, is that any information provided by anyone who comes forward—whether they call the hotline or come to one of the centres covered by the taskforce—will be used for no other purpose than that of helping them with the issues they face.

Sarah Jones (Croydon Central) (Lab): Given the focus of Conservative Members on illegal immigration, does the Home Secretary wish to comment on the fact that under his Prime Minister’s “hostile environment”, which has seen so much injustice done to the Windrush generation, we have seen the Government’s total failure to achieve what they set out to achieve, with neither voluntary nor enforced removals having actually increased in recent years?

Sajid Javid: No, I do not wish to comment on that question, because it was just political point scoring and not serious in any way.

Dr Julian Lewis (New Forest East) (Con): From his earliest days as a Member of this House, my right hon. Friend has spoken out uncompromisingly against all forms of anti-Semitism. What will he do to encourage some other people in some other parts of this House to follow the fine example he has set?

Sajid Javid: In my previous role as Communities Secretary, I obviously had a big role to play—I was privileged to do so—in fighting race and hate crime of all types. In my new role as Home Secretary, I will work very closely with my successor to make sure that we are fully co-ordinated in fighting hate crime and that we look carefully, particularly with regard to anti-Semitism, at what more we can do.

Stella Creasy (Walthamstow) (Lab/Co-op): I welcome the right hon. Gentleman to his new position, but let me give him some advice: whether the term is “hostile” or “compliant”, it is deeds not words that matter in this place. Three families who came to my surgery at the weekend have Windrush generation family members who have been deported from this country, so he has to be aware that there is a serious issue with deportation. He has told us how many people have called the hotline, but these families could not get through, so will he tell us how many members of staff there are? What will he do specifically to get legal advice to people who have already been deported, so that we can truly have justice for the Windrush generation?
Sajid Javid: The hon. Lady asks me about the taskforce. I understand that more than 50 officials are working on it, and we can increase that number if necessary. They are dealing with all the calls as they come in, and they have set up appointments for face-to-face meetings. As I said earlier, 500 appointments have been scheduled and 100 cases already resolved. If we need to add further resources, we will. If any member of the public who is listening wants to know, the number for the hotline is 0800 678 1925.

Alex Burghart (Brentwood and Ongar) (Con): I welcome the Secretary of State to his position. My constituents want to know not only that the taskforce is doing its job and reaching out to encourage people to get in touch with the Home Secretary, but that the Government are using all the resources at their disposal to find out about registration for council tax to help people prove that they have been in this country for a long time.

Sajid Javid: I assure my hon. Friend. On that front that officials and Ministers have been looking carefully to see what else can be done to help with finding appropriate documentation. My right hon. Friend the Minister for Immigration has already had meetings with other Departments to try to achieve just that.

Liz McInnes (Heywood and Middleton) (Lab): Can the Home Secretary confirm that the Windrush generation and others have more than two weeks to apply for British citizenship and that fees will continue to be waived until the Windrush generation issues have been fully resolved?

Sajid Javid: I am not aware that there is a completely inflexible deadline by which people can make applications. I want to take a closer look, if the hon. Lady will permit me to do so. I have not had enough time to look at the detail of every aspect of the matter yet, but I will take a closer look and get back to her.

Giles Watling (Clacton) (Con): I congratulate my right hon. Friend on his new position and on launching it with such power and style with his statement today. Does he agree that it is vital that we ensure that any compensation scheme is designed in consultation with those affected?

Sajid Javid: I agree with my hon. Friend. It is important that we do not rush to judgment about how the compensation scheme should work and that we listen in particular to those who have been affected. That is why it is right to have a consultation on the compensation scheme.

Andy Slaughter (Hammersmith) (Lab): In my surgery this morning, I saw a young asylum seeker who came to the UK nine years ago aged 15 and is still awaiting indefinite leave to remain. He has attempted suicide twice. I also saw a grandmother who came here from Barbados in 1970 aged 10, and who is still waiting and hoping for British citizenship. Does the Secretary of State accept that the Government’s failures on immigration policy go way beyond the Windrush scandal, and is he determined to tackle all aspects of discrimination and excessive delay by his Department?

Sajid Javid: I reassure the hon. Gentleman that I am determined to tackle all aspects of this and make sure that we deal with everything as quickly as we can.

Maggie Throup (Erewash) (Con): I, too, congratulate my right hon. Friend on his appointment, and I commend the speed at which the Home Office taskforce has, over the last week, assisted my constituents in applying for their permit cards. Given the advancing age of some of the Windrush generation, will he confirm that any reimbursement for travel to immigration centres will cover the most appropriate form of travel for the needs of an individual, especially as they get older, rather than just the cheapest option?

Sajid Javid: We have already confirmed that any out-of-pocket expenses, including travel costs, for any individual in relation to the work of the taskforce will be reimbursed. I am glad that my hon. Friend has highlighted the issue of speed. To reassure people who call the hotline and come to the taskforce, I make it clear that of the 100 cases I have mentioned that have already been resolved, most were resolved on the same day.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): In just two of many cases, the already deported Zielsdorf family from Laggan and my current constituents the Felbers in Inverness were deported, or threatened with deportation, on the basis of highly technical conditions or abrupt rule changes, without notification, during attempted compliance. Will the Secretary of State look into the role that the Government’s hostile targeting has played in those families’ unfair treatment, which has caused great distress to our highland community?

Sajid Javid: The hon. Gentleman mentions a couple of cases with which I am not familiar. If he wants to send me details, I shall take a closer look.

Rebecca Pow (Taunton Deane) (Con): I, too, welcome the Secretary of State to his position, to which he brings his own particular personal insight and integrity. I also welcome the new fast-track system and wish to report that my constituent, who was thrown out of Uganda in 1973 and had a very hard time, has, as a result of the new system, been fast-tracked through and is delighted with his treatment. I have high hopes that he will be confirmed for ever to remain in Taunton Deane. Is it not right and essential that we have an immigration policy that is fit for the future, respects people’s rights and encourages aspiration?

Sajid Javid: I agree with every word my hon. Friend says.

Paula Sherriff (Dewsbury) (Lab): How would the new Home Secretary respond to this quote, which is not from me but Anthony Bryan of the Windrush generation, who spent 50 years in the UK, followed by five weeks in prison?
Paul Masterton (East Renfrewshire) (Con): Will my right hon. Friend confirm that the waiving of the citizenship fee will apply to individuals who have documentation as well as those who do not?

Sajid Javid: I can confirm that.

Jenny Chapman (Darlington) (Lab): Some people think that there is a link between political rhetoric that is hostile to migrants and hate crime. What does the Home Secretary believe?

Sajid Javid: I have seen no evidence of such a link. If the hon. Lady thinks there is and has some evidence, I will happily look at it.

Mary Robinson (Cheadle) (Con): I join colleagues in welcoming my right hon. Friend to his new post. The children of the Windrush generation who are in the UK will in most cases already be British citizens. Can he confirm that where that is not the case they will be able to apply to naturalise at no cost?

Sajid Javid: Yes, I can confirm that.

Ruth George (High Peak) (Lab): I welcome the Home Secretary to his place and the commitments he has made this afternoon on fairness and justice. Will he offer that commitment to constituents who have already been deported, particularly my constituent who was deported two weeks ago in spite of his partner being 34 weeks pregnant at the time? He was in the process of applying to naturalise at no cost?

Sajid Javid: Clearly, no one should be wrongfully deported—of course not. If the hon. Lady has any details—forgive me if she has already shared them with the Department—I will certainly take a very close look at them.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I commend the Secretary of State’s personal commitment to the Windrush generation, but any credible immigration policy must distinguish between those who are here legally and illegal immigration. Is it not striking that there is an absence of policy on illegal immigration from the Labour party?

Sajid Javid: I am glad my hon. Friend points that out. I very much agree with him about making that distinction. I believe the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) was asked just this morning, in a number of interviews she gave, what would be the policy of the Labour party, and she had no answer.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Further to the question asked by my hon. Friend the Member for Heywood and Middleton (Liz McInnes), it says on the Government’s own website that the Windrush citizens have two weeks to “regularise their immigration status”. Will the Secretary of State look urgently at removing that statement from the website—it says that they have only two weeks—and give them a lot more time to deal with this situation?

Sajid Javid: I am looking again at that deadline.

Henry Smith (Crawley) (Con): Similar to the Windrush situation is the plight of the Chagos community, who were exiled from the British Indian Ocean Territory under the Wilson Administration. Will my right hon. Friend agree to meet me to look at my British Indian Ocean Territory (Citizenship) Bill, which is currently before the House, with a view to righting this injustice?

Sajid Javid: My hon. Friend is right to raise the issue of the Chagos community, and I will very happily meet him.

Jack Dromey (Birmingham, Erdington) (Lab): The Windrush generation built Birmingham and Britain only to be treated shamefully in the twilight of their years. This is a national scandal for which the Prime Minister must take personal responsibility. Will the Home Secretary clarify his earlier remarks about the compensation scheme? After 50 years in this country, Gloria Fletcher lost her job. As a consequence, she and her husband Derek are now deeply in debt. Given what the Home Secretary said, it looks like they might have to wait many, many months for compensation and justice. When will they finally see that justice delivered?

Sajid Javid: I think that I speak for the whole House when I say that we all want the compensation scheme in place as soon as possible. I hope that the hon. Gentleman agrees that it is right that we first consult on it—I hope to set up the consultation very quickly and to get input in particular from people who have been affected, including perhaps his constituents and others—to make sure that we are right on the detail and that the scheme properly compensates all those who have been affected.

Michelle Donelan (Chippenham) (Con): I warmly welcome my right hon. Friend to his new position. Does he agree that there is absolutely no question but that the Windrush generation have a right to stay? However, that does not reduce the need for, or the importance of, policies that act as strong deterrents to those who are trying to enter the country illegally or are currently here illegally.

Sajid Javid: I very much agree with my hon. Friend about the need to clearly articulate the distinction between those such as the Windrush generation, who have every right to be here and need to be helped in every way with this difficult situation, and the need to maintain a strong, compliant environment to ensure that our immigration rules are followed by everyone.

Helen Hayes (Dulwich and West Norwood) (Lab): My constituent, Gretel Gocan, had lived in the UK for 30 years when she was wrongly denied re-entry after visiting Jamaica for a family funeral several years ago. Arrangements are now being made for Gretel to return home to the UK. Her health is fragile and her family would like her to be able to travel this week, but they are struggling to raise the £972 cost of the flight. Will the Home Secretary confirm that the travel costs of repatriating Windrush citizens who have wrongfully been denied entry to the UK will be met by the Government so that Gretel’s family can bring her home this week?

Sajid Javid: If the hon. Lady sends me details of that particular case, I will take a closer look at it.
Dr Sarah Wollaston (Totnes) (Con): Will the Home Secretary assure the House that he will do everything in his power to make sure that nobody faces unnecessary delays or costs for NHS treatment in the future, as we saw in the case of Albert Thompson? Will he meet me to discuss the wider policy so that other people do not face unnecessary delays in the NHS as a result of our policy on visas for NHS staff?

Sajid Javid: My hon. Friend is right to raise this issue and I very much agree with what she says. What happened to Albert Thompson was completely unacceptable. We do not want anyone else to be in that situation, and I will very happily meet her.

Rachael Maskell (York Central) (Lab/Co-op): The Prime Minister received a letter from the former Home Secretary on 30 January 2017 apprising her of her continued work on the immigration policy. The Prime Minister is therefore complicit in all that has taken place. Is not the right hon. Member for Hastings and Rye (Amber Rudd) merely a scapegoat for the Prime Minister?

Sajid Javid: My predecessor, my right hon. Friend the Member for Hastings and Rye, was a fantastic leader of the Department. She did some great work that I hope to build on.

Richard Graham (Gloucester) (Con): Key to putting wrongs right will be the work of the new Windrush hotline, which has already responded very quickly to my efforts to help one of my constituents to get British citizenship. There is a wider opportunity for my right hon. Friend to recognise the migrant contribution to our nation, so may I invite him in principle to come to an event at the Gloucester history festival at which we will celebrate the arrival of the Empire Windrush this September?

Sajid Javid: My hon. Friend can invite me in principle.

Mr Speaker: I am sure the hon. Gentleman will be inviting the Home Secretary to deliver an oration, rather than simply to sit there decoratively.

Richard Graham indicated assent.

Mr Speaker: I am sure that that will entice the Home Secretary.

Chris Elmore (Ogmore) (Lab): It appears from the outside that the right hon. Member for Hastings and Rye (Amber Rudd) left her post in part because of incorrect briefings and because papers were not sent to her, or were sent to her but not seen. May I ask the new Home Secretary, in all sincerity, whether he plans a root-and-branch review of the Home Office to decide whether it is fit for purpose in the long term?

Sajid Javid: From what I have seen already of the Home Office, I can say that I am lucky to have such a strong and professional team, but of course improvements can always be made in any Department, and I will be looking carefully to see how I can do that.

Chris Philip (Croydon South) (Con): I warmly welcome the Home Secretary to his post—I know the whole team at the Ministry of Housing, Communities and Local Government will greatly miss him—and also welcome the rapid action that has been taken to right the injustice that the Windrush generation have suffered. They are, of course, as British as any of us. When it comes to people here illegally, however, does he agree with the Chair of the Home Affairs Committee, who, when shadow Home Secretary, said we needed proper enforcement and proper action to combat illegal immigration?

Sajid Javid: Yes, I do.

Chris Skidmore (Kingswood) (Con): Does the Secretary of State agree that there is a vital distinction between the Windrush generation, who came to this country as British citizens, and tackling illegal immigration? As such, will he reject any calls for an amnesty on illegal immigration, which would only encourage traffickers and undermine those seeking legitimate routes to citizenship in this country?

Sajid Javid: I agree with my hon. Friend. No one in the Department is talking about an amnesty. It is right that we welcome those who are here legally, but maintain a strong, compliant environment for those here illegally.

Kevin Foster (Torbay) (Con): I welcome my former colleague from the Ministry of Housing, Communities and Local Government to his new role. It is a delight to see him in his place today. I also welcome his comments about ensuring this matter is resolved quickly. Can he reassure me that he will work with local councils regarding records that they have that might help members of the Windrush generation to prove that they have been living here and their eligibility to remain?

Sajid Javid: My hon. Friend makes a very good point. He will know that I love working with local councils and will continue to do so in my new Department. Local councils have a role to play in our immigration policy, particularly in helping those from the Windrush generation.

Alan Mak (Havant) (Con): I congratulate my right hon. Friend on his historic appointment. Will he assure the House that, as his Department engages with the Windrush generation, it will look expansively and sympathetically at the types of records and documents that it will accept as people build a picture of their time here, so that these issues can be resolved quickly?

Sajid Javid: Yes, I can give my hon. Friend that assurance. The taskforce is already looking sympathetically at requests for documentation, which is why it is able to resolve many of the cases within days.

James Cleverly (Braintree) (Con): Will my right hon. Friend ensure that once the consultation on compensation has been finalised, an attitude of generosity will be applied and his Department’s famed proactivity and alacrity will be brought to bear when deploying the compensation scheme?

Sajid Javid: I agree with my hon. Friend. I look forward to discussing the issue of generosity with my right hon. Friend the Chancellor.
Mrs Anne Main (St Albans) (Con): I congratulate my right hon. Friend on his wonderful new position. The Windrush generation, like many others, were a generation of pen, paper and hard-copy documents. On the decision in 2009 to do away with those hard-copy documents, will he, when he has a quiet moment, look back and see why no decision was made to back them up, in a computer age, and how that decision was brought about by officials or those leading the Department at the time?

Sajid Javid: My hon. Friend makes an important point that deserves to be looked at.

Robert Courts (Witney) (Con): I welcome the Home Secretary to his new post. Will he assure the House that his primary focus will now be on giving practical assistance to those who need help?

Sajid Javid: My most urgent priority now, as I enter this Department, is to continue to build on the work set out by my predecessor to help the Windrush generation as quickly as I can, and in every way that I can.

Matt Warman (Boston and Skegness) (Con): I welcome my right hon. Friend’s ground-breaking appointment. Does he agree that while a humane immigration policy demands that we take action on the Windrush generation, it is not inhumane to act on the legitimate concerns of ordinary working people about illegal immigration in this country?

Sajid Javid: I very much agree with my hon. Friend, who has reminded the House of an important distinction. This is about acting correctly and fairly in respect of those who are here for all the right reasons and are helping to make our country strong, while at the same time cracking down on illegal immigration.

Syria

5.30 pm

The Secretary of State for International Development (Penny Mordaunt): Let me take this opportunity to put on record that the aid workers who have been attacked in South Sudan are very much in our thoughts. Aid workers should never be a target, and I am sure that the whole House will want to send our good wishes to them and their families at this difficult time.

I want to update the House on the United Kingdom’s support for the people of Syria. I am keenly aware that Members are deeply concerned about the level of suffering experienced by millions of Syrians. The United Kingdom has shown, and will continue to show, leadership in the international humanitarian response.

In the eighth year of the conflict, the plight of the Syrian people remains grave. The Syrian regime appears to have no intention of ending the suffering of its own people, although the opposition have placed no conditions on peace negotiations. The barbaric attack in Douma on innocent civilians, including young children, was yet another example of the regime’s disregard for its responsibility to protect civilians. Some may seek to cast doubt over the attack and who was responsible for it, but intelligence and first-hand accounts from non-governmental organisations and aid workers are clear. The World Health Organisation received reports that hundreds of patients had arrived at Syrian health facilities on the night of 7 April with “signs and symptoms consistent with exposure to toxic chemicals.”

Regime helicopters were seen over Douma on that evening, and the opposition do not operate helicopters or use barrel bombs. Assad and his backers—Russia and Iran—will attempt to block every diplomatic effort to hold the regime accountable for these reprehensible and illegal tactics. That was why the United Kingdom, together with our United States and French allies, took co-ordinated, limited and targeted action against the regime’s chemical weapons capabilities to alleviate humanitarian suffering. Britain is clear: we will defend the global rules-based system that keeps us all safe. I welcome the support that we have received from Members and from the international community. We will work with the United Nations and the Organisation for the Prohibition of Chemical Weapons to create a new independent mechanism to attribute responsibility for chemical weapons attacks. We will work with France on the International Partnership against Impunity for the Use of Chemical Weapons, and we will work with the EU to establish a new sanctions regime against those responsible for chemical weapons use.

In wielding its UN veto 12 times, Russia has given a green light to Assad to perpetrate human rights atrocities against his own people. This is a regime that has used nearly 70,000 barrel bombs on civilian targets; a regime that tries to starve its people into submission, although the UN Security Council has called for unhindered humanitarian access; a regime that has continued to obstruct aid to eastern Ghouta and removes medical supplies from the rare aid convoys that do get in; a regime that deploys rape as a weapon of war, with nearly eight out of 10 people detained by it reported to have suffered sexual violence; and a regime that deliberately bombs schools and hospitals, and targets aid workers and emergency responders as they race to the scene to help.
We must support the innocent victims of these atrocities. All warring parties must comply with the Geneva conventions on the protected status of civilians and other non-combatants. There must be an immediate ceasefire, and safe access for aid workers and medical staff to do their jobs.

We also want to adapt what we do to the new reality of this war. That is why I have announced the new creating hope in conflict fund with USAID, to work with the private sector to find new technology to save lives in conflict zones. Britain will establish a humanitarian innovation hub to develop new capabilities to hinder regimes that appear determined to slay innocent men, women and children.

Our aid has made a difference. Despite the horrific violence meted out by Assad, we have been able to prevent mass starvation and large-scale outbreaks of disease. When we are able to reach the people who need our help, our aid works. We are the second largest bilateral donor to the humanitarian response in Syria. Since 2012, our support has provided over 22 million monthly food rations, almost 10 million medical consultations and over 9 million relief packages. But the suffering continues. Some 13.1 million people are now in need of humanitarian assistance. Over half of Syria’s population has been displaced by violence, with nearly 6 million seeking refuge in neighbouring countries. In north-west Syria, an intensification of hostilities and the arrival of an additional 60,000 people from eastern Ghouta is stretching scarce resources. Today, 65% of the population of Idlib—over 1.2 million people—have been forced from their homes.

At last week’s conference, I announced that the UK will provide at least £450 million this year, and £300 million next year, to alleviate extreme suffering in Syria and to provide vital support in neighbouring countries. This will be in addition to our support for the second EU facility for refugees in Turkey. We have now committed £2.71 billion since 2012, our largest ever response to a single humanitarian crisis.

Our pledge will help to keep medical facilities open to save lives. We will deploy protective equipment to keep medics and rescue workers safe. We will deploy antidote stocks to treat any further victims of chemical weapons. We will train doctors and nurses to treat trauma wounds. We will focus on education, making sure that every child in the region has access to quality education even in the most trying circumstances, on steps to protect civilians and on ensuring that those responsible for violence meted out by Assad, we have been able to prevent mass starvation and large-scale outbreaks of disease. When we are able to reach the people who need our help, our aid works. We are the second largest bilateral donor to the humanitarian response in Syria. Since 2012, our support has provided over 22 million monthly food rations, almost 10 million medical consultations and over 9 million relief packages. But the suffering continues. Some 13.1 million people are now in need of humanitarian assistance. Over half of Syria’s population has been displaced by violence, with nearly 6 million seeking refuge in neighbouring countries. In north-west Syria, an intensification of hostilities and the arrival of an additional 60,000 people from eastern Ghouta is stretching scarce resources. Today, 65% of the population of Idlib—over 1.2 million people—have been forced from their homes.

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We will help to support the millions of Syrian refugees sheltering in neighbouring countries. Our friends in the region—Jordan, Lebanon and Turkey in particular—continue to demonstrate extraordinary generosity by opening their doors to millions fleeing the conflict in Syria. We must continue to offer them our fullest support. Last week, I also announced that the UK will host an international conference with Jordan in London later this year. It will showcase Jordan’s economic reform plans and aspiration to build a thriving private sector, and mobilise international investment.

There are refugees who cannot be supported in the region: people requiring urgent medical treatment, survivors of violence and torture, and women and children at risk of exploitation. We will work closely with the UN High Commissioner for Refugees to identify those most at risk and bring them to the UK. We are helping but, with Russia’s support, Assad continues to bomb his own people, and that is why so many continue to die and so many have fled their homes.

There can be no military solution to the Syrian civil war. As UN special representative Staffan de Mistura said in Brussels last week, the Assad regime risks a pyrrhic victory unless it and its backers engage in a genuine political process. Only this can deliver reconciliation and the restoration of Syria as a prosperous, secure and stable state. The UK will continue to support the efforts of the UN, under the Geneva process, to this end.

The obstacles remain serious. The regime has shown no inclination to engage seriously so far, and the Security Council remains divided. But the international community cannot, and should not, resign itself to failure. The costs for Syria, for the region and for the wider international rules-based system are too great. The Foreign Secretary was in Paris last Thursday to discuss with key partners how we should intensify our efforts to bring this conflict, and its causes, to an end. While we actively work to find a political solution, the UK will continue to stand alongside the people of Syria and the region to do what we can to alleviate human suffering and to demand immediate access for aid workers to all those who need our help. I commend this statement to the House.

5.40 pm

Kate Osamor (Edmonton) (Lab/Co-op): I welcome the Secretary of State’s statement, and I thank her for giving me advance sight of it. Let me join her in expressing my anger at the attacks on aid workers in South Sudan. Let me also congratulate her on her appointment today as Minister for Women and Equalities.

The war in Syria has gone on for more than eight years, and 100,000 civilians have died. 1 million have been injured and 12 million displaced. For all our differences, I believe that we in this House are united in our desire to stand shoulder to shoulder with the Syrian people and, as fellow humans, to help to bring an end to their suffering.

Turning first to money, I welcome the fact that last week the UK pledged £250 million more in new funding to help Syria. That can sound like a lot, but the truth is that last week’s pledging conference in Brussels raised less than half the $9 billion needed. It also raised less than was raised at a similar conference this time last year. Indeed, Mark Lowcock, the UN’s emergency relief co-ordinator, has warned that we have a $5 billion shortfall and that the UN will now have to make hard choices. The Prime Minister of Lebanon, where 25% of the population are refugees, has warned that his country remains “a big refugee camp”. Without enough funding, tensions are rising in Lebanon, Turkey, Iraq and Jordan, so will the Secretary of State say more about how the UK intends to help to fill that remaining shortfall and about what plans exist to increase our own contribution? Given that delays have been reported in the United States’ pledge and that pledges from the Gulf states have so far been less than was hoped, what assurances can she give the House that she is putting extra pressure on those others also to come to the table?

It is not all about the money, however—it is not enough just to get the chequebook out. Without a political solution, our aid budget will only ever have a limited impact, so what are the Government doing to
show political leadership in securing a ceasefire? After they ignored the UN and joined US airstrikes, will the Government now recommit to a joint multilateral solution to peace through the UN, even if that seems difficult? Let us remember that, a fortnight ago, this House debated the decision by the Prime Minister to bomb Syria without even coming to this House for a vote. We were told then that the action was intended to alleviate human suffering. Will the Secretary of State tell us whether her Department ever carried out an assessment of the likely humanitarian impact of the airstrikes before they were authorised by the Prime Minister?

Opening the chequebook overseas counts for nothing unless we also live up to our responsibilities to Syrian refugees here in the UK. The Government promised to take 20,000 Syrian refugees by 2020, yet the UK is taking just 4% of the number of refugees received by Germany, and the numbers across European countries are dwarfed by those in Jordan, Lebanon, Turkey and Iraq. We are not even able to hit the Dubs amendment target of 3,000 children, and that is pitiful.

My hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) also reported recently that his constituents were unable to host and help Syrian refugees because of the logistical and bureaucratic hurdles set up by the Home Office. That pattern is being replicated up and down the country. If the Government can prioritise targets to remove people from this country, why are we not able to hit a simple target to let in a handful of refugee children from countries such as Syria? Will the Secretary of State please sit down with the new Home Secretary and urge him to remove these barriers straight away so that we can, at the very least, hit the UK’s very modest targets for resettling Syrian refugees and children?

**Penny Mordaunt:** I thank the hon. Lady for her warm words at the start of her response. We are doing many things to ensure that we and the international community have the funding we need to alleviate the immense suffering being endured by the Syrian people. The first part of our contribution is obviously asking others to lean in, so my right hon. Friend the Minister for the Middle East and I have been asking other nations to do that. We obviously heavily co-ordinate our efforts with UN agencies and with their asks. We are also leading the charge on reforming the humanitarian system. We lose about $1 billion a year globally because the system does not work efficiently, so if we can get it to work better, we will have more money to deploy where we need it.

We are also helping in other areas. To give one example, I was recently in Jordan looking at the costs of healthcare; particular prices must be paid for vaccines for refugees. We are looking at the specific cost issues for the countries that are shouldering an immense burden and at what we can do to try to alleviate those costs or to get more sensible pricing systems in place.

We are also working with the multilateral system; as the hon. Lady will know, the capital replenishment of the World Bank was a huge success for the UK’s development goals. That formed part of our desire to ensure that the countries that are shouldering burdens, specifically Jordan and Lebanon, have their contributions taken into account when decisions are being made. I am pleased to be working with the president of the World Bank and Bill Gates on being human capital champions, and on ensuring that all multilaterals are making decisions about which nations are stepping up and not only funding their own people, but supporting refugees from other nations.

The hon. Lady mentioned the UN, and we all know about the problems we have with the Security Council and Russia’s veto. We must find other ways of working and to encourage people to come to the table, and we have to put pressure on Russia and Iran to play their parts in getting the situation resolved.

As for the air strikes, their purpose was to degrade and deter the use of chemical weapons, as the hon. Lady knows. The vast majority of Members across the House recognise why they were a good thing for the people of Syria, for our own safety and for trying to ensure international norms. One reason why we are not able to share information with the House in advance of such strikes is that we can only make the judgment to which she referred when we know what the targets are. We can only make a judgment about whether a strike will be legal, effective in its objective and compliant with our targeting policies if we know what the targets are, and we cannot share that information with the House for understandable reasons.

We have chosen to support millions in the region. We are taking a number of refugees into the UK, but we are supporting millions of individuals not just with the basics of life, but by trying to ensure that they have some kind of future, particularly with our investment in education. Since I became Secretary of State, I have set up several new groups with the Home Office, both recently and last year, to consider issues in which there is Home Office interest, including the administration of the situation of refugees. For example, if people caught up in the Rohingya crisis have relatives here, we are trying to be proactive and to ensure that we are doing everything we can to get sensible things to happen.

**Dr Julian Lewis** (New Forest East) (Con): I must express disappointment that, while rightly damning the monsters in the Syrian Government, my right hon. Friend still has nothing to say about the maniacs—the jihadists—who lead most of the armed opposition. Can she tell us whether this aid will be supplied only to displaced Syrians outside Syria or, if it will be supplied to Syrians within Syrian territory, whether it will be supplied to Assad-controlled territory, to territory controlled by the armed jihadist opposition or to territory controlled by the only people we have ever been able to support militarily—the Kurdish-led Syrian democratic forces? Those forces are currently under attack from Turkey, which she has just described as one of our friends in the region.

**Penny Mordaunt:** Turkey is a key NATO ally—I hope my right hon. Friend would want me to describe it as such—and it is supporting an enormous number of refugees. I very much understand his concern on this issue. The way we distribute aid is based on need, and we obviously have protections to ensure it is distributed as it should be. The main obstacle to that happening is access to particular areas, but aid is not being given to terrorist groups and it is not being abused in that way.
Most of the armed opposition are now dead. Back when we had the vote on the Floor of the House in 2013, there were 12 groups that nobody could describe as extremists or terrorists, and they were the best hope for a peaceful and good outcome to this situation. We are now faced with a situation in which Assad will continue his campaign, despite no restrictions being put on negotiations by the opposition groups. The only peaceful outcome in Syria will be with the consent of all parties, which I am afraid does not point to Assad remaining there.

Stewart Malcolm McDonald (Glasgow South) (SNP): I thank the Secretary of State for advance sight of her statement. I wish her well with her new ministerial responsibilities, and I associate the Scottish National party with her words on the aid workers in South Sudan.

The Syrian conflict is making the Schleswig-Holstein question look positively simple by comparison, but there are a number of questions that I hope the Secretary of State will be able to help me with this evening. Can she tell us a bit more about the new sanctions she has announced? Will they target the Syrian Scientific Studies and Research Centre and the network of shady bank accounts connected to it? Will she seek to address the large imbalance between the number of UK and EU sanctions and the number of sanctions brought in by the US Treasury? The US Treasury has almost 300 sanctions, but I understand there are fewer than 30 from the United Kingdom.

Can the Secretary of State tell us how she plans to strengthen the chemical weapons convention and the Organisation for the Prohibition of Chemical Weapons? Isopropyl alcohol and hexamine are required to make sarin gas, but neither of those two components is covered by the chemical weapons convention. Are there plans to address that? Can she tell us a bit more about the US aid initiative she mentioned in her statement and how much new money will go to it?

The UN Security Council is tasked with underpinning global security, and it worries us all that it is now effectively an entirely broken instrument. Although, like the Secretary of State, I hold no candle for the Russian veto, if the veto is dead for Moscow, it is dead for every permanent member of the Security Council. Given that with the airstrikes the UK Government have essentially acted, whether we like it or not, outwith the norms she says the Government have acted to defend, what is the long-term plan to bring back some decorum, some decency and some order to the UN Security Council?

Mr Speaker: It is always in the interest of our proceedings that they should be entirely intelligible to those who attend or who watch on television. If memory serves me correctly, only three people knew the answer to the Schleswig-Holstein question: one died, a second went mad and the third forgot the answer.

Penny Mordaunt: Thank you, Mr Speaker. I hope to do rather better in my reply to the hon. Member for Glasgow South (Stewart Malcolm McDonald).

Whether through financial levers or through having other options in our humanitarian toolbox, we need to be able to do more in future. When I was a Defence Minister, I was fed up of coming to the House to say why we could not do airdrops; as Secretary of State for International Development, I am fed up of coming to the House to say why we cannot protect people better. We are a smart nation. We have great brains in our armed forces and in our civil contingencies, and we work very closely with our US allies. We have to come up with some better capabilities, and I am determined that we will do so.

We also want to focus on financial levers, and we are working with the EU and other international partners to develop them. I cannot give details on that today, but it is in train. I will update the House at a later date.

The US aid initiative is a joint partnership with the UK. Initially, we are each putting in £5 million to invite competition. We are asking people to come in with ideas, and we will then look at and develop those ideas, which could be about protecting civilians, getting power or water supplies back up or getting aid to individual people.

Additionally, we will set up a humanitarian innovation hub in the UK. My right hon. Friend the Minister for the Middle East will lead on that, and it will use the best brains from across many sectors to come up with bold solutions that we can use and that may help our defence and civil contingency capabilities.

On the UN, huge efforts are being made by our dedicated team in New York. I have spent time with them and I have visited them, and they are making a sterling effort. We need to keep pressure on Russia and Iran, which is the only way we will get things back to how we want them to work. In the meantime, we have to find other ways of making sure that we adhere to international norms. We will all be safer if that is the case.

Crispin Blunt (Reigate) (Con): Is any expenditure from the conflict, stability and security fund planned for Idlib province? If so, what are the objectives of that expenditure and how will it be accounted for?

Penny Mordaunt: Expenditure from that fund has already been put into Idlib in particular. I am looking to do more with DFID’s funding in Idlib and in other areas that are next in the firing line. We still have some access to four such areas, and I can write to let my hon. Friend know exactly what expenditure has come out of the CSSF.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I thank the Secretary of State for her statement. I associate myself with her comments about South Sudan, and I put on the record my deep concern about today’s situation in Kabul, where we have seen significant loss of life, including journalists and others.

The Secretary of State talks about the importance of humanitarian access. Given the issues we have seen with Turkey’s operations in and around Afrin and Turkey’s role in controlling many of the crucial border points around Idlib where, unfortunately, we expect there to be significant military action in the near future, what conversations have she and her ministerial colleagues had with the Turkish Government at the highest levels to ensure that those border posts are open for humanitarian access?
Penny Mordaunt: My right hon. Friend the Minister for the Middle East has spoken to the Turkish Government and to a number of individuals at the UN. We want this situation to de-escalate. It is, at the very least, a distraction in the fight against Daesh, as I reported to the House in the quarterly counter-Daesh update a few weeks ago. We remain concerned, and we will continue our diplomatic efforts to de-escalate the situation.

John Redwood (Wokingham) (Con): Will the Secretary of State confirm that, by helping refugees closer to Syria, rather than inviting them here, we can help many, many more people? As those refugees will obviously want, in due course, to return to their country, is there any news on possible progress on a diplomatic solution?

Penny Mordaunt: My right hon. Friend is absolutely right. We are able to help millions of individuals, and it is not just about providing a safe haven; it is also about providing them with education and skills training to ensure that when they are able to return to their homes—and we hope that will be sooner rather than later—they are equipped to pick up their lives as swiftly as possible.

Tom Brake (Carshalton and Wallington) (LD): The last chapter of the history of Syria’s destruction has already been written: it is the complete annihilation of Idlib by barrel bombs delivered by Assad’s murderous forces, backed up by the equally murderous Russians. What can the UK Government do to try to avoid tens of thousands of additional deaths in Idlib? Will the Government expand the family reunion scheme and increase the number of Syrian refugees who are able to come to the UK, to protect more vulnerable people?

Penny Mordaunt: The right hon. Gentleman is right, in that we think Idlib and some other areas are going to be next hit. We have done a tremendous amount to forward deploy equipment to protect individuals—all the way from sandbags to personal protection equipment. He will understand that in some areas access is extremely difficult and there are enormous numbers of people. Our priority is to protect those individuals who can protect others—the civilian defence workers and medics in those areas. Of course, we urge those who are in control of those events, who do not have to bomb their own people, to desist from doing so and to come to the negotiating table.

Mrs Pauline Latham (Mid Derbyshire) (Con): I congratulate my right hon. Friend on her appointment as Minister for Women and Equalities, in addition to her current job, and I know she feels passionately about that. An estimated 478 health facilities have either been destroyed or attacked since the conflict began. What is she doing to make sure that vital medical care can be given?

Penny Mordaunt: In addition to the protection for those individuals I have just mentioned, part of our funding will be going to train thousands of medics in advanced trauma care. It is vital that we keep health services running, provide medical consultations and keep pushing for access for medical supplies. I am afraid that my hon. Friend is right to say that hospitals, medical facilities and aid convoys containing medical equipment have been targeted by the regime.

Mr Ivan Lewis (Bury South) (Ind): I congratulate the right hon. Lady on her new responsibilities. May I use this opportunity to pay tribute to the work of St Bernadette’s parish in my constituency, which is developing resources to enable it to host a Syrian refugee family? In the context of the debate about the Windrush scandal and a “hostile environment”, many people reasonably ask why, following the Dubs amendment in the House of Lords, this country is not fulfilling its moral responsibility to Syrian child refugees. How many Syrian child refugees have we taken and what are her plans for the future?

Penny Mordaunt: On the resettlement of vulnerable individuals, we have taken about half our commitment to date—just over 10,000 individuals. I fully appreciate the hon. Gentleman’s urging us to do all we can to ensure people are safe. We have chosen to prioritise those who are extremely vulnerable and in need of a particular health treatment, or those who are vulnerable for some other reason, but we are supporting millions of refugees. We are the major contributor to that, taking care not just of people’s basic needs, but of education. I recently visited some of the education facilities in countries in the region, and Britain should be very proud of what we are doing to assist people. I visited a school that is particularly focused on children who have disabilities and have been injured in the shelling in Syria. UK aid is doing great work. We are helping not just a few thousand individuals in the UK but millions in the region.

Sir Roger Gale (North Thanet) (Con): In her opening statement, my right hon. Friend referred to the “barbaric attack in Douma on innocent civilians, including young children”. Last week, in the margins of the Parliamentary Assembly of the Council of Europe, Mr Slutsky, who is Mr Putin’s spokesman on earth, whined that the Russians only faced obligations, not rights. Does my right hon. Friend agree that the Russian Federation has absolutely no right either to use or promote the use of chemical weapons and that if the Russians want to be accepted in the civilised world, they should join the UK and others in seeking a political solution, rather than exacerbating the suffering?

Penny Mordaunt: I could not agree more. There is a very good reason why these weapons have been outlawed: they cause immense suffering. This regime is choosing not only to bomb its own people, but to exterminate them in the most cruel ways imaginable. Any nation that facilitates that should be ashamed of itself. I do not think the Russian people would approve of that kind of behaviour, and the Russian Government should look to their conscience and to the security of their own people, because by breaking these international norms they are putting their own people in danger, too.

Mr Speaker: I cannot say I have heard of this Slutsky fellow, but I am sure that the hon. Member for North Thanet (Sir Roger Gale) can take it upon himself to educate the gentleman—very useful.

John Woodcock (Barrow and Furness) (Lab/Co-op): The statement is welcome, and I hope it will be followed by further regular and frequent updates. The Secretary of State knows that many of us are pushing for far stronger actions than sanctions to deal with the full spectrum of Assad’s atrocities, but when she talks about
“A new sanctions regime against those responsible for chemical weapons use”, do we firmly put Iran and Syria among those “responsible”? Will she consider a wider sanctions regime covering siege, starvation and deliberate targeting of civilians, as well as chemical weapons use?

**Penny Mordaunt**: Yes, I can give the hon. Gentleman that assurance. He will understand why we do not want to make announcements until we are ready to act on these matters, but we are looking closely at what we think would be effective and what will deter future action. He is right to say that chemical weapons are against international norms, but barrel bombing children is against international norms, too.

**Michael Fabricant** (Lichfield) (Con): Given that we had an opportunity in 2013 to make a real difference but it was opportunistically rejected, may I say to my right hon. Friend that she should not take any advice from the Labour party? To ask her a specific question, some 500 medical centre and general practice buildings have been destroyed; what is her Department doing—is there anything it can do—to restore medical aid in Syria?

**Penny Mordaunt**: My hon. Friend will know that the most appalling things have happened. Even when co-ordinates have been given over with a view to ensuring that strikes avoid medical centres, they have been used to attack those sites. We saw the report of the surgeon David Nott, who was conducting an operation on an injured Syrian child down the line from London and who found that the signal he was using to perform that operation was used to target a hospital. This is why we have launched these new challenges, calling on people who have expertise, technical know-how and great ideas to enable us to be ahead of individuals who choose to unleash this barbaric behaviour on their own people. We want to do better. We want to have more options in the future to protect people.

**Mike Gapes** (Ilford South) (Lab/Co-op): Last week, members of the Foreign Affairs Committee were in New York for discussions with the United Nations Secretary-General, members of the Security Council and other UN member states. It is clear that far from ignoring the UN, our ambassador Karen Pierce and her colleagues are making prodigious efforts to get progress on Syria. The Secretary of State referred to the 12 Russian vetoes. Given that there will continue to be Russian vetoes, what are we going to do when Assad carries out mass murder of civilians in Idlib? Are we going to walk by on the other side or will we have another effort, with our coalition partners, France and the United States and others, to stop these atrocities?

**Penny Mordaunt**: The hon. Gentleman will know that one reason why we took action against the use of chemical weapons a few weeks ago—as well as to degrade Assad’s capability—was to deter that kind of action in future. The hon. Gentleman’s support and strong stance on humanitarian issues have strengthened that message. The fact that Members from all parties have condemned not only the chemical weapons attacks but the use of conventional weapons against civilians, and have expressed our resolve that those things should not happen, will have helped that message. The hon. Gentleman will understand why I cannot talk today about specific future action that we or our allies might take, but Assad and his backers should be under no illusions: we will not tolerate such breaches of international norms.

**David Evennett** (Bexleyheath and Crayford) (Con): I welcome my right hon. Friend’s statement and congratulate her on her new ministerial responsibilities. What assessment has she made of the recent levels of religious persecution in Syria? What steps is she taking to ensure that persecuted religious minorities have access to humanitarian aid?

**Penny Mordaunt**: That is an important issue. In the new development offer that I unveiled a couple of weeks ago, I included new programming specifically in respect of the protection of civilians being persecuted for their religious beliefs. A great deal of protection can be afforded to people who are being persecuted—whether it is for their religious beliefs or they are women and children, who are particularly vulnerable—by having good reporting mechanisms in the way we deliver aid. If the recipients of aid know who to go to when, for example, aid is being withheld, we will be able to stop these things much quicker, so we are looking into that.

**Angela Smith** (Penistone and Stocksbridge) (Lab): I supported the action against the use of chemical weapons the other week, and I consider any failure to take action to be appeasement in the face of the atrocities committed by the Assad regime and the increasing levels of aggression from the Russian state. My question relates to the White Helmets, who have played a significant part in saving tens of thousands of lives in Syria. What support will the Government continue to give to the White Helmets, and in what form?

**Penny Mordaunt**: First, I thank the hon. Lady for the stance that she took. The sentiments I expressed in my response to the hon. Member for Ilford South (Mike Gapes) also apply to her and to many other Opposition Members. The White Helmets have done a phenomenal job, and I very much regret some of the false propaganda that has been put around about their work. We are supplying them with financial assistance, and as I said, we are looking to forward deploy as much protective equipment as we can. It is people like that, along with medical teams, who we really need to ensure are protected in the four areas that I think will be targeted next.

**Bill Grant** (Ayr, Carrick and Cumnock) (Con): Will the Secretary of State join me in paying tribute to Syria’s neighbours that have taken in refugees? Will she set out what support she is offering to those countries to undertake what must be an enormous humanitarian task?

**Penny Mordaunt**: In addition to the aid that we are supplying and, as I mentioned, the other things we are trying to do to help those countries with the costs that they are having to bear, we need to help them in other ways. That is why we have announced the conference with Jordan—an amazing country with a huge amount to offer. We want to help Jordan to grow its economy, as well as to enable it to continue the tremendous generosity and hospitality that it is showing to refugees.

**Jim Shannon** (Strangford) (DUP): I thank the Secretary of State for her statement and for highlighting so very well the suffering of millions of Syrians. The Syrian Christian population is estimated by Open Doors to have halved since 2011, down from 2 million to 1 million, and the number of displaced in Syria stands at 6.7 million. Will the Secretary of State confirm that DFID aid has
been delivered to where the Christian minorities are now located? Has it reached large numbers of the displaced?

Penny Mordaunt: As I have said, we are completely reliant on what access we can get to certain areas. We cannot get aid convoys into some areas into which we wish to get them. I assure the hon. Gentleman that in the mechanisms and partners with which we work to deliver aid on the ground, we are very conscious of these issues and we are strengthening those systems all the time. I have met individuals who are particularly concerned about protecting those who may be being persecuted for their religious beliefs. As I said, I am announcing some new programming to give us more options on that front.

John Howell (Henley) (Con): Last week, like my hon. Friend the Member for North Thanet (Sir Roger Gale), I was at the Council of Europe, where I spoke about Jordan’s effort to educate so many Syrian refugees. What is the Secretary of State going to do to help with the crisis in early years education in that country?

Penny Mordaunt: We are doing a range of things. As a general principle, I am keen that, whether in respect of humanitarian or more traditional forms of economic development, we join up the different programmes that we run—that we join up our maternal health provision with our early years provision and our education provision—and that we build systems as we go. There are many things that we can do to strengthen the healthcare and education systems of those countries in the region that are hosting refugees. I hope that one day we will be able to make similar contributions and give similar technical advice to Syria.

Paul Scully (Sutton and Cheam) (Con): As a Government, we should reettle the people who are most vulnerable and those with the most complex needs, but the fact is that to go beyond that risks diverting resources from literally thousands of individuals and driving people towards the human traffickers and the perilous journey across the Mediterranean. Does my right hon. Friend agree that the strategy to support refugees who are resident in these host countries is not just for Christmas and that the money donated now can go straight to Idlib?

Penny Mordaunt: May I first pay tribute to my hon. Friend for all that she and other colleagues have done through this amazing organisation? I know how keenly she feels the plight of those on the ground when there has been an attack in an area in which some of her team are working. The Department has made good progress with the launch of the small charities scheme, but I would like us to go further. Other Members have mentioned organisations in their own constituencies. We have tremendous organisations up and down the country that contribute a huge amount not just in financial support and aid, but in friendship to those in the developing world.

Kevin Foster (Torbay) (Con): I welcome the statement by the Secretary of State, not least what she said about the work that we are doing with our allies given the way that, on the one hand, Russia and its apologists across the world have been saying that we should respect the UN, while, on the other, making sure that the UN cannot do anything effective. Can she reassure me and tell me how, in the long term, we can bring to justice some of these people who have committed such appalling crimes, given that Russia is likely to continue to veto any reference to the International Criminal Court?

Penny Mordaunt: My hon. Friend raises a very important point. One of the sessions that I took part in at the Brussels conference was with civil society and we looked at how we will collect evidence and hold people to account for their actions. Some of our funding will support an international initiative to do just that, and it is vital that we do so. We should do everything in our power to stop the sorts of things that we have seen over the past eight years happening ever again.

Sir Desmond Swayne (New Forest West) (Con): With respect to promoting our aid effort, as raised by my hon. Friend the Member for Crawley (Henry Smith), is my right hon. Friend aware of anyone who spends 99.3% of their income on themselves?

Penny Mordaunt: I can see that I will have to deploy my hon. Friend the Member for Crawley (Henry Smith) to make the case for what we do. We do sometimes
focus on that number of 0.7%, but we should actually focus on what that money does. If we can explain this better to the British public, who enable us to help people such as Syria’s children, they would be very proud of what the funding does.

Chris Skidmore (Kingswood) (Con): I congratulate the Secretary of State on her appointment as the Women and Equalities Minister. Does she agree that protecting women and girls in Syria and in the region should be a priority, and will she set out her Department’s specific action in that regard?

Penny Mordaunt: The needs of women and girls are at the heart of our approach to humanitarian efforts. We have enshrined that in a tri-departmental policy with the Foreign Office and the Ministry of Defence. It is vital, particularly in conflict and protracted crises, that we ensure that women and girls are shaping our humanitarian effort and that their needs are absolutely at the centre of what we do, which means that they are at the heart of our doctrine.

Ross Thomson (Aberdeen South) (Con): Does my right hon. Friend agree with Haian Dukhan, a PhD student at the University of St Andrews, who left Syria in 2012 because of the two evils of President Assad and Daesh and who described our action in Syria as “necessary and legitimate” because Assad had crossed a red line? Does she share my view that our response to the crisis in Syria also confirms that our aid budget is in our strategic national interest?

Penny Mordaunt: Clearly, we are involved in a lot of economic development to produce the trading partners for the UK of the future, but what we do on the humanitarian front is the hallmark of a great nation, and we should be very proud of that. I know that the British public are very proud of our humanitarian work.

Paul Masterton (East Renfrewshire) (Con): I recently met the Reverend Dr Grant Barclay of Orchardhill Parish Church in Giffnock and he said that many of his congregation have felt deeply affected by the humanitarian situation in Syria and want to help. How best can church and indeed community groups support the work that the Secretary of State and her Department are doing in response to this conflict?

Penny Mordaunt: There are many ways that they can help. Clearly, many community groups raise funds and give aid directly. There is also a lot we can do to show our support, particularly when groups such as the White Helmets are under attack. We can ensure that the truth is out there; we can confront people who decide to peddle falsehoods about what is actually happening on the ground; and we can show our support. Ultimately, though, it is the practical needs that we must address. I hope that, if we can develop the small charities scheme, groups such as my hon. Friend mentioned will be able to benefit from UK aid money.
Amendment 6, page 2, line 15, at end insert—

“(e) the need to ensure that customers on standard variable and default rates have their annual expenditure on gas and electricity reduced by no less than £100 as a result of the tariff cap conditions”

This amendment would require the Authority to ensure that the tariff cap conditions result in customers on standard variable and default rates having their annual expenditure reduced by no less than £100.

Amendment 7, page 2, line 15, at end insert—

“(e) the need to ensure that adequate protection exists for vulnerable domestic customers, including ensuring those customers who currently benefit under a cap imposed by the Authority on rates or amounts charged for, or in relation to, the supply of gas or electricity because they appear to the Authority to be vulnerable, retain those benefits.”

This amendment would require the Authority to have regard to the protection of vulnerable customers, including ensuring those who currently benefit under a safeguard tariff continue to do so.

Amendment 9, page 2, line 15, at end insert—

“(e) the need to ensure that adequate protection exists for—

(i) customers who benefit from a cap imposed by the Authority on rates or amounts charged for; or in relation to, the supply of gas or electricity on the basis that they appear to the Authority to be vulnerable;

(ii) in circumstances where a cap described in sub-paragraph (i) has been withdrawn, customers who would have benefited from such a cap had it still been in force; and

(iii) other vulnerable domestic customers.”

This amendment would ensure that when exercising its functions under this section, the Authority must have regard to protection for vulnerable customers, including those who are protected or (in circumstances where it is no longer in force) would have been protected by a safeguard tariff.

Amendment 8, in clause 7, page 4, line 15, at end insert—

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This amendment would ensure that when exercising its functions under this section, the Authority must have regard to protection for vulnerable customers, including those who are protected or (in circumstances where it is no longer in force) would have been protected by a safeguard tariff.

Amendment 8, in clause 7, page 4, line 15, at end insert—

“(e) the need to ensure that adequate protection exists for—

(i) customers who benefit from a cap imposed by the Authority on rates or amounts charged for; or in relation to, the supply of gas or electricity on the basis that they appear to the Authority to be vulnerable;

(ii) in circumstances where a cap described in sub-paragraph (i) has been withdrawn, customers who would have benefited from such a cap had it still been in force; and

(iii) other vulnerable domestic customers.”

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Amendment 9, page 2, line 15, at end insert—

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(iii) other vulnerable domestic customers.”

This amendment would ensure that when exercising its functions under this section, the Authority must have regard to protection for vulnerable customers, including those who are protected or (in circumstances where it is no longer in force) would have been protected by a safeguard tariff.
(b) holders of supply licences are using available data, whether collected through smart meters or through other means, to—
(i) assess the energy consumption patterns of domestic customers; and
(ii) use such data to identify, and move domestic customers onto, the most competitive tariff.”

This amendment requires Ofgem to consider the progress made by energy companies in offering domestic customers the cheapest available rate based on their individual consumption patterns when determining whether there is an effective market.

Dr Whitehead: We support the Government’s aim to introduce a temporary absolute price cap as set out in the Bill. We claim some intellectual property rights in this, in that Labour proposed a temporary price cap before the 2015 election, which was famously denounced by the then Prime Minister as “wanting to live in some sort of Marxist universe.”

It is good to see that the Government have not flinched at the possibility of the apparition of its former leader returning to denounce this price cap in the same terms, but then we live in interesting times.

It is necessary to introduce an absolute cap, not a relative price cap, as soon as possible and for a limited period beginning no later than this winter. We have noted the continuing anomalies in the market, the continuing opportunities to game the market, and indeed, the report by the Competition and Markets Authority that customers were being overcharged by £1.2 billion over the recent period as a result of those anomalies.

Therefore, a price cap and a pause in price increases, other than those agreed by Ofgem and relating to wholesale price movements, is the right thing to do now, providing, as we have always said and as we said when we introduced the idea of a price cap previously, that action is taken to correct those anomalies during the period of the cap, so that the market resumes at the end of it under circumstances that do not just result in prices running away again and our all being here a little further down the road, finding that nothing has changed and that perhaps a further cap is necessary.

We want to ensure that the Bill does just that—that the terms under which Ofgem operates the price cap give due attention to the current market problems; that the basis on which the cap is ended is clear in the legislation; and that, subsequent to the cap ending, there are measures in place to ensure that some of the more egregious problems of the present market arrangements are not repeated in the future. That is the basis on which we are judging the Bill and on which we are suggesting amendments, as we did in Committee.

We do not want to overthrow or weaken the Bill, and we understand that it needs to be robust against possible challenges. Our amendments would therefore have the sole effect of strengthening the Bill and its purpose, and they would ensure that its architecture fully reflects that purpose.

6.30 pm

I will talk briefly to our amendments in the order in which they would sit in the text of the Bill. I hope that this will demonstrate to hon. Members that there is a narrative behind them that is about putting further steel into the Bill and clarifying its purpose during and after the period of the price cap as set out in the Bill.

Gareth Thomas (Harrow West) (Lab/Co-op): I draw to my hon. Friend’s attention the comments of Miss Burdett from Rayners Lane in my constituency, who notes that online rates for energy bills are often cheaper than the standard rate, potentially leaving elderly and vulnerable people who cannot go online for whatever reason at a significant disadvantage compared with the rest of us. Would my hon. Friend’s amendments help people such as Miss Burdett, in the situation that I have described?

Dr Whitehead: I thank my hon. Friend for that important observation about what one might describe as one of the current market anomalies. It is not just about the differentials between the different ways that one can secure a tariff; it is about the issue of prepaid metering and the differential between the bills of people who are in fuel poverty or are vulnerable in other ways and the bills of those who have more resources. Indeed, some of the amendments that we have tabled—and one in particular—would secure firmly in the Bill matters that Ofgem and the Minister would be required to take into account when considering the introduction of the price cap and the period after which it ends.

Amendment 5 would start the process of strengthening the Bill by ensuring that the cap takes effect within no more than a known period that is stated in the Bill. That is because we want the cap in place for this winter. We know that the equivocation on the cap has lost valuable time. The Government introduced it as a manifesto item before the last election, but then apparently went cool on the idea, before suggesting that it was the administrative responsibility of Ofgem. Only then, after a pause of a number of months, was it actually introduced as legislation, and we are now rushing to get the Bill on the statute books so that the cap can be in place this winter.

James Heappey (Wells) (Con): The shadow Minister has brought forward his definition of winter from 30 November in Committee to something that is hopefully a bit sooner. Does he still not agree, as we discussed in Committee, that setting a date for the Bill to be implemented may mean that we rush Ofgem in a way that may not prove to be helpful? Indeed, if Ofgem exceeds our expectations and gets this done quicker, we may be giving the energy companies a target by which to raise their prices. It might be better to let Ofgem go away and prepare the cap as quickly as possible, and act as soon as possible thereafter.

Dr Whitehead: Indeed, the hon. Gentleman has a point, which is why now—on Report—the amendment would put a maximum number of months, not a specific date, in the Bill. One might say that hon. Members listened to each other in Committee regarding possible future amendments, which is why I tabled amendment 5 in this manner. However, the fundamental point of the amendment is still to get the Bill working, so that the cap is in place before the winter. Ofgem has said that it thinks it can have a cap up and running in five months, so we have suggested in the amendment. We therefore want the maximum timeframe of five months to be reflected in the Bill, so that the cap is guaranteed at around the time when people get their winter fuel allowance, not when winter returns, as it seems to do these days, in the middle of next spring.

Amendment 6 seeks to quantify the saving that customers might expect as a result of the cap, but we do not wish to make up a figure in so doing. We want to take the
Prime Minister's word on this, when she specified that customers would save £100 as a result of the price cap that her Government were about to introduce. To be precise, The Sun of 27 February this year had the splendid headline “Millions of Brits in line for £100 as Theresa May delivers on energy price cap promise”. This was just one of a number of sources reporting the Prime Minister's price save promise, but The Sun went further, stating:

“Government insiders say the cap should save at least £100, potentially rising to £300 a year with increased competition and faster switching.”

Now, I do not know whether there are any Government insiders in the Chamber—or, indeed, whether the Minister is one of those cited—but we can assure them that we will take the conservative route on this occasion and propose only that the Bill will do what the Prime Minister says it will.

Stephen Kerr (Stirling) (Con): I am slightly perturbed that the hon. Gentleman is quoting The Sun as the authority by which we make legislation in this House.

Dr Whitehead: On reflection, I can join the hon. Gentleman in being slightly perturbed that I am quoting The Sun in this context. I assure him that although I quoted The Sun, a range of authorities from the Daily Mail—getting better!—up to the BBC's website suggested that the Prime Minister did actually say that people would save £100. If the hon. Gentleman thinks that quoting The Sun was not entirely appropriate under all the other circumstances, I can do nothing other than agree with him.

Amendment 7 would ensure that vulnerable customers, including those already protected by a tariff cap, do not lose that protection as a result of the overall cap being introduced.

Sir Oliver Letwin (West Dorset) (Con): If we put together the hon. Gentleman's remarks about amendments 5 and 6—the general gist of which I have no quarrel with—and if Ofgem were subject to legal challenge as a result of trying to impose a cap of this size on that timetable, what does he suggest would be the effect of his amendments if they had entered law? How would Ofgem deal with the conflict between the courts and an Act of Parliament?

Dr Whitehead: My understanding is that the question of a timeframe for implementation of the cap would be strengthened considerably regarding a potential legal challenge by providing for a maximum period for the introduction of the cap, rather than a specified date. I think that we accept the principle that there should be some indication in the Bill of when the cap is to arise; certainly, in previous discussions of the Bill, there has been a real concern about the body responsible for implementing a cap after the legislation has been passed through the House taking any or no specified period to prepare the cap for its actual execution. The preparation of the cap will also be part of the process by which it is strengthened against legal challenge. That therefore needs to be done carefully and properly so that it is implemented in a way that is proofed against such legal challenges. Ofgem indicated in its evidence to the Committee the period that it thought reasonable for it to be required to take forward the implementation of the cap. Placing that period in the Bill therefore seems, at least to the Opposition, to be adding to the proof against legal action rather than detracting from it.

Sir Oliver Letwin: I completely accept that it is advantageous to give Ofgem a push to do this on the timescale that the hon. Gentleman is describing. However, clause 1(1) says that “the Authority…must modify the standard supply licence conditions”, and under his amendments, it would have to have done that by a given date, yet the court may be preventing it from doing so. I still do not understand how he deals with that legal conflict.

Dr Whitehead: The Bill says that what needs to be done to modify licences to bring the cap about, among other things, has to be done by Ofgem as part of its implementation process. The question of legal challenge to Ofgem concerns, at its heart, what Ofgem does over whatever period may be specified to ensure that the implementation of the cap does not deviate from what is set out in legislation. That is the clear basis on which the cap should be undertaken, and that is the responsibility of Ofgem.

The second issue is the time within which Ofgem considers that it can introduce that cap in the way that the right hon. Gentleman has described, given its workload and capacity to do so. Indeed, Ofgem is on the public record, through the evidence that it gave to the Committee—he will know that that has some weight through being a public statement in Hansard—as saying that it felt that it could do it within five months. The amendment merely tries to tidy up the process by putting that timeframe into the Bill, while not in any way detracting from the strength or otherwise of what Ofgem is required to do in acting to implement the cap in a way that is both effective and legally watertight.

I am not sure that I can go too much further with the right hon. Gentleman’s point. I am happy to take it up with him separately if he wishes. However, I have explained where we are in seeking a combination of watertightness in the Bill and clarity that the wishes of this House can be undertaken in through the price cap coming in during the period when it is supposed to come in.

Amendment 7 relates to the point made by my hon. Friend the Member for Harrow West (Gareth Thomas) about vulnerable customers and people who are not in a position to take advantage of all the devices that other, less vulnerable customers would be able to take advantage of—that is, customers protected by the existing tariff cap in particular. In our view, it is important that those who are protected by the tariff cap do not lose that protection as a result of the overall cap being introduced. It would be helpful if the Minister, even if she is not minded to accept the amendment, put it beyond doubt that that is the Government’s intention and that they will not seek to lose the current safeguard tariff as the overall tariff cap comes in.

James Heappey: Clearly amendments 7 and 9 both have real merit in getting the protection of vulnerable customers right, which is important, but why does the hon. Gentleman feel that his amendment is better than amendment 9?
Dr Whitehead: I am afraid that I cannot give the hon. Gentleman that assessment, because I think that both have equal merit in dealing with very similar issues.

James Heappey: In a slightly different way.

Dr Whitehead: Indeed, but both have equal merit, and I would not want to distinguish between them in what they would add to the Bill. They both have the central concern that vulnerable customers should not be treated adversely as a result of the overall tariff cap coming in. That is the point that I wish to pay attention to. I am sure that my hon. Friend the Member for Leeds West (Rachel Reeves) will also want to do so when she speaks to amendment 9.

Frank Field (Birkenhead) (Lab): Without wanting to enter into a beauty contest regarding whose amendment is best, will my amendment 1 be quite consistent with what the Government wish to achieve, which is to require Ofsted—I mean Ofcom—[HON. MEMBERS: “Ofgem.”] Yes, Ofgem—or Ofcap, perhaps. The Government wish to require Ofgem to write to companies to ensure that those who are poorest and least likely to change have been offered the best deal by their provider. I promise that by the time I speak to my amendment, Madam Deputy Speaker, I will know which regulatory body it is.

Dr Whitehead: Yes, there is certainly merit in that idea. It is true that some of the amendments take some of the specific actions that may be taken a little further than is suggested in amendment 7. However, whichever of the amendments one wishes to pin the first-place rosette on to, the key point is that vulnerable customers need to have proper protection as the tariff cap comes forward.

It is in the Government’s interests, I think, to clarify exactly what they intend the Bill to do regarding that protection. That can easily be done by the Minister clearly stating today, as I hope she will, that vulnerable customers will not lose the current safeguard tariff as the overall tariff cap comes in. Indeed, if the overall price cap consumes the safeguard tariff, vulnerable customers could see their prices could go up by more than £30 as a result of the difference between the safeguard and the absolute tariff. That would, as I am sure she will agree, be a perverse outcome that she surely she will agree, be a perverse outcome that she would be anxious to disavow.

The Minister will have to clarify for us that the Bill means that Ofgem can bring forward the extended safeguard tariff at the same time as the standard variable tariff cap; that the extended safeguard tariff can continue after the absolute cap has ended; and that she will bring forward the necessary secondary legislation before the summer to enable the data sharing needed to extend the safeguard tariff. I am sure that she will be able to reassure us on these points. I look forward to what she has to say about all the amendments before us.

Amendment 8 seeks to introduce to the Bill the symmetry in architecture that appears to be missing from what Ofgem must consider in introducing the cap. As hon. Members can see, the Bill lists a number of matters to which Ofgem should have regard in setting the cap, which relate to “protecting existing and future domestic customers who pay standard variable and default rates”.

However, when we cast our eyes forward in the Bill, we see that those conditions are wholly absent from the matters that Ofgem is required to consider when it reports to Government on whether circumstances exist that allow the cap to be terminated, as it is required to do by clauses 7 and 8.

Indeed, there is no guidance in the Bill at all on what Ofgem will have to take into account, except, alarmingly, for one consideration: the extent to which progress has been made in installing smart meters, a provision that, if taken too literally, might mean that the cap will be with us until the end of 2023. Our amendment essentially seeks to place in the outbox—the point at which Ofgem reviews the expiry of the cap—the same considerations that it is required to pay attention to in its inbox when it sets the cap.

Finally, we seek in new clause 1 to start the process of introducing what needs to be in place to ensure that the market works well for customers and does not recreate the anomalies that have led us to where we are today. I have no doubt that there will be a number of such provisions, but in our view one of them should be that the arrangement of tariffs by energy companies should not continue as it is.

That is also the substance of amendment 2, tabled by the hon. Member for Weston-super-Mare (John Penrose), who I salute for his unflagging work in bringing the idea of a price cap to this point. He introduces in his amendment the suggestion that tariffs should have a piece of elastic on them for each company, to prevent companies from introducing customers to apparently low tariffs initially, only to place them on much higher tariffs when the first offer expires and relying on their loyalty to gain a lot of profit and cause an unfair outcome for customers. That is essentially the instrument that his amendment would introduce, but it is cast as a relative price cap. We do not think it is a satisfactory mechanism for a price cap, but he will no doubt argue his corner. The relative nature of a tariff range restriction means that it can be introduced at any price and is not therefore a cap as such. It is, however, a vital means of keeping prices and fair dealings with customers on a steady trajectory.

Antoinette Sandbach (Eddisbury) (Con): The Business, Energy and Industrial Strategy Committee heard an overwhelming amount of evidence opposed to a relative price cap. Can the hon. Lady explain why he rejects that evidence and has tabled this new clause?

Dr Whitehead: The hon. Lady is, I think, under the impression that the new clause seeks to introduce a relative price cap. It does not seek to do that at all, or indeed during the period when an absolute price cap is in place. When the absolute price cap has come to an end, which could happen on various dates, there should be a mechanism in place to ensure that tariff differentiation is within certain bounds—I mentioned having a piece of elastic on tariffs—so that companies cannot return to the practice that unfortunately exists today whereby they can take people on board on one particular tariff, and even introduce a discount tariff for a certain period to entice people on to it, and then place people on one of their highest tariffs when that one comes to an end. It is a long piece of elastic in that case. That disadvantages the customer and is not what they thought would happen when they first went on to that tariff, and it seems thoroughly laudable to prevent that.
[Dr Whitehead]

We need to ensure that market mechanisms are in place to prevent us from returning to where we are at present and to the situation that got us into this position in the first place. We believe that the mechanism for a relative tariff differential has a different function entirely from the relative price cap being suggested in some quarters. I think we would all agree that a relative tariff differential is not a price cap in its own right, as the Select Committee concluded strongly, but a strong mechanism for ensuring that the market works better in future.

Alan Brown (Kilmarnock and Loudoun) (SNP): One concern about a relative cap is that there could be a bit of floor-raising, with some of the cheaper tariffs disappearing. Although there might not be a cap in future, what is to stop the same thing happening with a relative tariff system, where we lose the bottom tariffs in the market?

Dr Whitehead: The hon. Gentleman makes an important point about the possibility that within a relative tariff range arrangement, a company could put forward a very high tariff as a starting point and then put customers on an even higher tariff subsequently, if that tariff is within the piece of elastic keeping the tariffs within reach of each other. If an energy company were to do that outside a price cap, it would be a sure way of losing a large number of customers, because it would have put its initial tariff way above that of any competitors. If it was agreed that market circumstances were such that those sorts of arrangements should be able to return, companies would have to be kamikaze-inclined to pursue that way of doing things.

Alan Brown: I appreciate what the hon. Gentleman is saying, but is that not why we are introducing an energy tariff Bill in the first place—because people have been on standard variable tariffs that are too expensive, but they are not moving? It is the same with a relative tariff differential; people will not necessarily move, and that is what we really need to sort out in the market.

Dr Whitehead: We have to bear in mind that people will be introduced to a new tariff. Indeed, we hope that by the time the market returns, the issue of people remaining on SVTs for years and not switching will be a thing of the past and there will not be SVTs in the system, but also that there will be other tariff arrangements that effectively prevent SVTs from playing the role they have played before.

John Redwood (Wokingham) (Con): In amendment 6, the hon. Gentleman is trying to ensure that people get money off, which we would all like to see, but would it not be necessary to include some kind of rider so that it applies only if people are burning the same amount of energy year after year? If we went from a warm winter to a very cold one, presumably he would not think we could guarantee the same amount.

Dr Whitehead: Amendment 6, as I recall, would simply place the Prime Minister’s words into legislation. It was estimated that a saving of at least £100 would result from the measures, and one aim of the legislation was to bring that saving about. It does not mean that the amount would be exactly £100—indeed, had the Prime Minister not reported that to The Sun, we might have got a rather more complex version of that price promise. We are merely reflecting what was heard on that occasion, and I hope the right hon. Gentleman will take the amendment in the spirit in which it is intended.

Sir Oliver Letwin: I just want to be clear, because I have got very confused about these propositions on a relative cap. On the face of it, the words of new clause 1 are strikingly similar to those of amendment 2. Is the hon. Gentleman proposing that after the absolute cap, there should be a relative cap?

Dr Whitehead: It can be interpreted in that way. We are fully in accord with the Government’s idea of an absolute cap, as opposed to the relative cap proposed in the amendments. We suggest that what has been characterised as a relative price cap plays an entirely different function, which is to narrow the gap between tariffs after an absolute price cap has been in place so that companies cannot game the market by switching tariffs in the way I have described. That is nothing to do, at that point, with a price cap; it is about tariff stability over a period and, indeed, an assurance for customers that they are not going to be ripped off as a result of entering on a particular tariff and subsequently being placed on a very high tariff once that initial tariff has come to an end.

7 pm

We hope that the Government will see the wisdom of and accept the new clause and all the amendments, but if the Minister does not set out a satisfactory explanation of why they cannot agree to new clause 1, we may have to test that principle by means of a Division. Overall we wish the Bill well, as we have shown in our positive stance towards it in our debates so far. We trust that the Government will, in taking on board our assurances about the positive nature of these amendments, produce from this House an amended Bill that will be strengthened by the full support we all give it as it moves to the other place for consideration.

John Penrose (Weston-super-Mare) (Con): I rise to speak to amendments 2 to 4, which stand in my name and those of a variety of Conservative colleagues, including two members of the Business, Energy and Industrial Strategy Committee as well as former Ministers and Cabinet Ministers.

I should pause to say that I am not arguing against the Bill overall—I spoke and voted in favour of it in principle on Second Reading—and I hope that everyone involved in the campaign I have headed in this area for the past year and a half appreciates that I believe an energy price cap is much needed. I pay tribute to the 214 cross-party MPs who signed up to the idea, plus the Prime Minister and the Minister, who have all been vital in getting us to this point today.

My concern is about not the principles but the detail—the type of price cap envisaged under the Bill—because, to put it bluntly, a fair number of free market Tories are pretty concerned that we are choosing the most anti-competitive, complicated, bureaucratic and inflexible cap on offer. It is inflexible because the Bill specifies an absolute cap that will be set by an all-knowing committee of Ofgem regulators every few months. However, the international price of energy moves around every day,
and it is impossible to know what the price will be in the next six minutes, let alone six months, so the cap price will be out of date in moments and will stay out of date until it is reset again monthly later. That means it will not protect customers in the way we all want and, because it will be officially blessed by Ofgem, it will embed and legitimise high prices. It is not just me who is worried. Which? says it is “not certain that customers on a capped default tariff will benefit as market conditions change in future”.

The proposed cap is also complicated—hideously complicated. Why? The assiduous folk at Ofgem have already started publishing details of how they might go ahead and they are warming to their task. It would not be just a single cap, they say; it would be 42 different ones to cover gas and electricity, different meter types and different parts of the country. There would be more than 42 different caps, however, because each one may be split into several different versions depending on whether people pay by direct debit or in some other way, and each will have a fixed standing charge and a variable element—oh, and there is headroom, too. Each of those three items can be calculated in a marvellously technical and complicated variety of ways. For example, the variable element could use a basket of market tariffs, an updated competitive reference price, or a bottom-up cost assessment. Those things might be calculated using a periodical review of realised costs, or third-party data with pre-specified allowances for certain cost items, and so on and—turgidly, complicatedly—on.

Sir Oliver Letwin: My hon. Friend and I have had an engaging conversation about this for many months, but given all the things he reports Ofgem as planning, surely that means we will have not a single point tariff that rapidly becomes outdated, but rather a tariff that will respond—for example, to input costs?

John Penrose: As my right hon. Friend says, he and I have had many conversations about this over many months. I can only say to him that if his argument is that Ofgem might come up with a version of an absolute cap that is a bit less absolute and a bit closer to what I am proposing—in effect, one that is a price cap—I would agree with him that that is a good thing, but if that is the case, as a source of advantage for the cap, why would it not be even better to go the whole hog and have a relative cap in the first place?

John Redwood: Does my hon. Friend think that a relative cap is more likely to deliver a better deal for the customer than an absolute cap?

John Penrose: Yes, absolutely. We heard from the hon. Member for Southampton, Test (Dr Whitehead) what I thought was actually rather a good explanation about why such a cap is so wonderful. The Opposition disagree about the purpose, but the fundamental reason why we are all in the Chamber is that we agree about the injustice in the way the energy market works at the moment, which is that people can start off on one tariff and then get secretly pushed on to a much higher one. It is the clandestine mark-up that riles everybody and really upsets people. By definition, a relative cap would affect what is happening everybody off, and it would be precisely targeted on dealing with the mischief that is the reason behind the Bill in the first place.

Rebecca Pow (Taunton Deane) (Con): I want to put to my hon. Friend something that has been said by MoneySavingExpert, which is that a relative cap would simply result in firms withdrawing the cheapest deals—the shadow Minister mentioned that—and create the “worst of both worlds”. We do not want to fall into such a trap, as some consumers on expensive tariffs would still be paying more than they need to while many firms would not offer the cheap deals they currently offer.

John Penrose: That argument has been advanced for both a relative cap and for an absolute cap; some people argue that it applies to both. We heard earlier a rather good explanation of why the argument does not really apply, which is that it would be commercial suicide, or a commercial kamikaze effort, for anybody to try to raise their prices in the switching market, which is highly competitive, because they would very rapidly start losing customers hand over fist. I understand that argument, but I do not think it would be relevant in practice.

Stephen Kerr: Just to underline the delicate nature of the balance that we are talking about in terms of caps, the majority view of the Competition and Markets Authority in its report was that a standard variable tariff cap would “run excessive risks of undermining the competitive process”. This would be likely to result in worse outcomes for consumers in the long run by “reducing the incentives of suppliers to compete” and “reducing the incentives of customers to engage”, so a delicate balance needs to be struck.

John Penrose: That is absolutely bang on the money. For goodness’ sake, the Competition and Markets Authority is suggesting such a thing, and that is after all its business.

Mark Pawsey (Rugby) (Con): Will my hon. Friend give way?

John Penrose: I will take one more intervention, but then I must make some progress.

Mark Pawsey: My hon. Friend is talking about people moving from a competitive rate to the default, which he describes as the standard variable tariff. Does he think that people would be less inclined to put up with the higher rate if it had an alternative name, such as an “emergency tariff”?

John Penrose: There is now a whole range of underlying pro-competitive reforms—I am not normally one to give Ofgem a vast amount of credit, but it really deserves some in this case—that are needed in this market. Renaming the default or standard variable tariff may not have a huge effect, but it might have a positive effect. There is a series of other things, some of which are even more important, that must happen. It is crucial—I agree with the Labour spokesman about this, as I think we all would—that we do not waste our time and that Ofgem continues to reform the market while this temporary price cap is in effect because, when the price cap comes off, we will want the market to have been sufficiently reformed that no further price caps are necessary, because it works like a normal market in which the customer is king. If we have not done that, we will have wasted our time and everybody else’s.
I was talking about the complications and the hideous complexity of Ofgem’s proposals, but if all that inflexibility and complexity has not put Members off already, they should have a look at the bureaucracy. Pretty much every free market economist will agree that the best way to discover a price is not through a committee that meets every couple of months, but with a genuinely competitive market in which supply and demand are matched from moment to moment all day, every day. Fortunately, we just happen to have one of those handy. The switching market is full of deals on which energy firms compete like mad for business. It is innovative; it has razor-sharp prices; and it takes changes in wholesale energy costs in its stride every day of every week. The customer is, in other words, genuinely king or queen.

That is, as we have just discussed, exactly what we want to see in the rest of the market, so why are we ignoring it? Why go for a far less competitive version that is inflexible, hideously complicated, bureaucratic and committee-based when we could simply tie rip-off default tariffs firmly to the switching market and go down the pub for a drink? The mechanism, as we have heard, would be simplicity itself: a maximum mark-up between each energy firm’s best competitive price and its default tariff—we would cap the gap. Unlike with the arrangements in the Bill, there would be just one decision for regulators to take: the size of the gap. Everything else would be taken care of by the link to the competitive switching market.

James Heappey: I am grateful to my hon. Friend—my neighbour—for giving way. Has he given any thought to what a relative cap would do for time-of-use tariffs, the arrival of which we should surely be encouraging? They rely on a big differential from free or negative pricing to the most expensive prices, which disincentivises energy use at peak times. Is he concerned as I am that what he proposes might discourage the arrival of such tariffs?

John Penrose: Much would depend on the size of the cap on the gap proposed by Ofgem, and much would depend on the rest of the pricing structure of the energy firm in question with regard to where it chooses to put its default tariff. Many of these things are, as my hon. Friend points out, yet to arrive. They are starting to be introduced, but they are a relatively new innovation, with small but growing penetration. He is absolutely right that we need to make sure that we do not disincentivise such tariffs. They certainly will not be to everybody’s taste, but they may be to the taste of an increasingly large number of people.

I would prefer to start from a simple cap—capping the gap—and then have to make a couple of adjustments, rather than making even more complicated something that is, as I have described, already hideously complicated. If we manage to take care of all the complexity and bureaucracy by establishing a link to the competitive switching market—hey presto!—we will have driven a stake through the heart of the rip-off tariffs. Switching supplier would still be worth while, and there would be far fewer jobs for bureaucrats, lawyers and lobbyists. The customer would be king.

My amendments would make a relative cap either possible or required, depending on which version was chosen. I do not expect or intend to press the amendments to a Division, but I want everybody to realise that there is a more competitive, more flexible, less bureaucratic, more customer-friendly and generally better alternative, and that at the moment we are not taking it.

It is not just free market Tories such as myself who think that capping the gap is the right way to go. The Labour Front-Bench team, as we have heard, have tabled an amendment that proposes something similar. They might disagree with my description of it, and they have a fancy-schmancy name for it, but, broadly speaking—as my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) pointed out earlier—the wording is very similar and the amendments would effectively do the same thing.

Labour Front Benchers and I disagree over timing, however. The effect of their proposal would be permanent, whereas ours would be temporary while we fixed the underlying anti-competitive problems in the market. There is, none the less, clear cross-party consensus on the principle, at the very least, so why does the Bill ignore this cross-party opportunity? Why are a notionally pro-competition Conservative Government choosing the less competitive, more bureaucratically inflexible and more complicated version instead? Why are we snatching defeat from the jaws of what ought to be a famous free market victory? I look forward to hearing the Minister’s answer.

Frank Field: I will not press my amendment to a Division either, but I am very happy to speak to it for 30 seconds. It is designed to request an undertaking from the Minister that she will ask Ofgem to look at the poorest consumers on which it has data and offer them an automatic switch to the lowest rate that suits their expenditure pattern. On that happy note, because I am sure the Minister will give way later, I shall sit down.

Antoinette Sandbach: I rise to speak in support of amendment 9, which is in the name of the Chair and some of the members of the Business, Energy and Industrial Strategy Committee; I know that the Chair of the Committee is also going to speak to the amendment. Its purpose is to ensure that there is adequate protection for vulnerable people while the cap is in force and beyond and to probe the Government and the Minister on the matter.

During the prelegislative scrutiny of this Bill in January, the Committee heard evidence from the chief executive of Ofgem. When I asked him about the need to protect vulnerable customers, he conceded that “there is likely to always be a need to protect customers who would not be fully able to engage even in a…more competitive market.” What is more, Mr Nolan admitted that Ofgem had “not done as well as we could have” when it came to its statutory duty to protect vulnerable customers. In fact, he apologised to the Committee for Ofgem’s failure to act appropriately to protect vulnerable customers.

The sheer number of people on standard variable tariffs was quite shocking to the Committee, and many of those people will be vulnerable customers. I note that the Minister agreed, saying that “the regulator also needs to change. It also needs to use the powers it has more effectively.”
That evidence session did not fill me with confidence about Ofgem’s effectiveness at protecting vulnerable customers. I believe that the amendment will act as the necessary encouragement to the regulator to do just that. The amendment will also ensure that in the longer term, those who are least able to afford high bills get greater protection. That is because the amendment continues the requirement for due regard beyond the length of a cap.

I want to push the Minister on working with DWP colleagues and others to mitigate the impact of the general data protection regulation. Although the amendment targets the regulator, the Government are well equipped to handle this area. They need to ensure that the required data exchange can take place, so that vulnerable customers can be identified and offered the support that the Government want to make available to them. I am sure that the Government agree with the principle behind the amendment, and I hope that the Minister will address my concerns in full.

Rachel Reeves (Leeds West) (Lab): It is a privilege to follow the hon. Member for Eddisbury (Antoinette Sandbach) in this debate. I want to speak to amendment 9, which is in my name and those of hon. Members from across the House who are members of the Business, Energy and Industrial Strategy Committee. As the Minister knows, the Committee did a large amount of work on the pre-legislative scrutiny of the Bill, and we are all pleased that it has reached Report and Third Reading in time to ensure that the energy price cap is in place for next winter.

During pre-legislative scrutiny, the Select Committee proposed several changes, all of which were either accepted by means of amendments to the Bill or accepted in principle. We welcome the collaborative approach of the Minister and her team. Amendment 9 addresses an outstanding concern relating to vulnerable customers that I know the Minister shares. As she knows, 83% of people in social housing, 75% of people on low incomes and 74% of disabled customers are on standard variable tariffs. The aim of the Bill is to ensure not only that everybody has a price cap, but that it will help the most vulnerable, who are predominantly on the standard variable tariffs.

One million vulnerable customers are already on Ofgem’s safeguarding tariff. The Select Committee’s first recommendation, as part of its pre-legislative scrutiny, was for the Government to provide details on plans to protect vulnerable customers from overcharging when Ofgem’s safeguarding tariff and the Government’s price cap are lifted. My concern, and the concern of other members of the Committee, is what happens when the whole-of-market price cap comes in for standard variable tariffs. Will Ofgem continue with the safeguarding tariff at the same time?

In response to that recommendation, the Government gave a long list of laudable policies that are today in place for vulnerable customers. We of course welcome that list of policies, but concerns linger. Ofgem has been clear, including in a decision letter on 7 December last year, that it plans to do away with the safeguarding tariff when the whole-of-market price cap on standard variable and default tariffs comes in. Ofgem has said that the warm home discount safeguarding tariff will end in December 2019 if it has not already been replaced by other price protection—that is, the price cap we are debating and voting on this evening.

Some might say that that is fine, because the new price cap will replace the safeguarding tariff for customers on the warm home discount. That will only be the case, however, if the new price cap is at the same level or lower than the safeguarding tariff already in existence today. If it is not, then energy bills will rise for the 1 million most vulnerable customers when the price cap comes in. That would mean that the very legislation to protect consumers may hurt those who most need protection, and I know that the Minister, along with Members across the House, does not want that to happen.

Alex Sobel (Leeds North West) (Lab/Co-op): My hon. Friend knows very well that in Leeds we have set up White Rose Energy, a municipal energy company. Its main mission is to protect those vulnerable consumers. When consumers move away from the cheapest tariff, it informs them repeatedly to ensure that vulnerable consumers are protected. Is that not a model of good practice for all energy companies?

Rachel Reeves: I am pleased that my hon. Friend and fellow Leeds MP mentions White Rose Energy, which is doing fantastic work. It ensures that customers in Yorkshire have a greater choice of energy companies and genuinely puts customers first. During pre-legislative scrutiny, we heard from other small companies, including Bulb and Bristol Energy who are also trying to support their customers.

No one in this House wants a situation where the most vulnerable customers see their prices rise because of the price cap. Perhaps Ofgem could operate the safeguarding tariff and the price cap we are debating today simultaneously. That seems entirely possible and desirable to try to avoid the issues that National Energy Action and others have raised from coming into effect.

I hope we will receive assurances from the Minister this evening that these risks will not be allowed to materialise. In that case, I will not press this amendment to a Division. Let me urge the Minister, however, to ensure that the Bill does its job of protecting customers and that energy companies are not able to use any loopholes that would mean prices rising for the most vulnerable customers: those we have the greatest duty to protect.

Stephen Kerr: It is a great privilege to follow the hon. Member for Leeds West (Rachel Reeves), the Chair of the Business, Energy and Industrial Strategy Committee.

There was no shortage of energy—or capping of energy—at yesterday’s Stirling Scottish marathon. There was, however, a lot of evidence of determination, particularly as competitors approached the finishing line despite the agonies that some were obviously going through. There was a great deal of grit on display. In addressing amendment 9, it is a lack of grit and determination—almost supine passiveness—that is causing me to have grave concerns about how Ofgem goes about its business.

During pre-legislative scrutiny of the Bill, the Select Committee held an evidence session, to which my hon. Friend the Member for Eddisbury (Antoinette Sandbach) referred earlier. I am sorry to have to say this, but I was unimpressed by the evidence presented in January by Dermot Nolan, the chief executive of Ofgem. He did
not come across as a person with an appetite for what I need to be done. He lacked that grit and determination. He admitted to my hon. Friend that, in respect of Ofgem’s statutory duty to protect vulnerable customers, “I accept the point that we could and should have done better on vulnerable customers. We have relatively recently put in place principles for vulnerability, which will give a stronger level of protection.”

When the hon. Member for Hove (Peter Kyle), who is not in his place, challenged Dermot Nolan on what was in effect an admission of failure on his part to fulfil his statutory responsibility towards the protection of those who are vulnerable, he answered:

“We have not done as well as we could have. I fully accept that.”

This perturbs me. It perturbed me then and it perturbs me now. The hon. Gentleman, who is an esteemed member of the Select Committee, seemed to me to hit the nail firmly on the head when he said to Dermot Nolan:

“If you do not mind me saying, throughout the testimony here and before, you have been describing what is happening in the market; you are the single most important player in the market, because you have the most extraordinary powers as a regulator, yet your testimony sounds so incredibly passive. Do you ever just roll your sleeves up and get stuck in? I do not really see the evidence of that.”

I share the concerns expressed so vividly by the hon. Gentleman.

Since becoming a Member of this House last year and having the privilege of being appointed to the Business, Energy and Industrial Strategy Committee, I have had the opportunity to hear first-hand evidence and testimony from a number of regulators. I have, in all honesty, been underwhelmed by every one of them.

Mark Pawsey: My hon. Friend is giving an account of the evidence given by Ofgem to the Select Committee. Does he share my concern that the Bill would give that very body the powers to set the energy price cap?

Stephen Kerr: I am grateful to my hon. Friend for his intervention. I share the concerns—I think they are shared across the whole House—about the performance of Ofgem as a regulator. I have broader concerns about the general performance of regulators full stop. Frankly, we seem to have a collection of regulators who either have powers but do not seem to be prepared to use them, or who do not feel they have adequate powers but are not prepared to ask for them. That seems incredible to me. I am very wary of leaving the issue of vulnerable energy customers to the discretion of Ofgem, because I am fearful that the discretion of Ofgem will mean that it will continue, by its own admission, to fail vulnerable customers.

This is an important issue that needs to be aired here and now on Report. Ofgem needs to sit up and take note. It is also important that we hear from the Minister, from the Dispatch Box, what change in the pattern of behaviour we should expect to see from Dermot Nolan and Ofgem. Will they have the determination and grit of the marathon runners in Stirling yesterday? Will they do something with the powers they currently have and the powers they will have when the Bill is passed? Above all, I want the Government to fulfil the promise of our Prime Minister who, on behalf of the Conservative party, said:

“Our party did not end the unjust and inefficient monopolies of the old nationalised energy corporations only to replace them with a system that traps the poorest customers on the worst deals”.

I am fearful that that is what we could do. I look for reassurance from the Minister.

Caroline Flint (Don Valley) (Lab): I welcome back to the House this unfinished business. It has been a long-running saga and I have appeared in pretty much every episode for the past six years. I am hoping tonight will be my final appearance on this particular matter, with no repeats to follow.

I welcome the proposed absolute price cap. We have arrived at a place where there is much cross-party agreement, but it comes at a price. That price has been borne by consumers. The Competition and Markets Authority confirmed in 2016 that between 2012 and 2015, the average detriment to the consumer—overcharging, in plain English—was £1.4 billion a year. The CMA found that the scale of overcharging, far from diminishing, was rising, reaching £2 billion a year by 2015.

7.30 pm

In some ways, it is quite surprising that nowhere in this Bill or discussion has there been any mention of recompense. Given that we have all pretty much come to the same conclusion regarding the overcharging of those on standard variable tariffs, it is interesting that we have not discussed the case for compensation, repaid through bills or a windfall tax, on profits that the companies did not deserve and the CMA says they should not have charged. That makes it all the more essential that Ofgem is set a tight timetable to complete its work and set the tariff cap in time for the winter.

I signed the amendment tabled by the shadow Minister, my hon. Friend the Member for Southampton, Test (Dr Whitehead), and I understand the debate we have had in the House so far—that we do not want to create a situation in which, through some judicial review, we could lose the whole essence of the Bill if we did not meet the timespan in five months. However, it is worth having a debate to send a very strong message from the House today that we expect this absolute price cap to be in place in time for next winter. Nothing more and nothing less will be acceptable, because as the Minister knows only too well—I read her comments at the time—between our Bill Committee sittings and our being here today, British Gas/Centrica have already increased their prices for the year ahead by 6%, as my right hon. Friend the Member for Birkenhead (Frank Field), who is sitting alongside me, mentions.

We have to make sure that there is no gaming. Ofgem has already gone through a process once in relation to those on prepayment meters and other vulnerable customers, so we know what we are talking about—we have been talking about these issues in one form or another for the last six years. Even though the amendment may not be pushed to a vote, I hope that the Minister will firmly ensure that this gets the priority it requires and the pump on this, so that we make sure we get the price cap and give full support to Ofgem to complete the consultation in good time to enable that to happen.
It is clear to me that we have not come this far to let energy bill payers down again, so let us make sure that as well as the clauses and the amendments, whatever happens to them this evening, we make it very clear through this debate that the Bill will not weaken Ofgem’s consultation by allowing companies to create a green-shaped loophole or to claim to be abolishing all SVTs but still place customers on an equally unfair tariff. I hope that the Minister will respond to that in her remarks.

I hope that in most circumstances, good, competitive markets would work in the consumer interest, but energy is not like other products that we buy. It is essential to life. Frankly, ever since privatisation, the energy market has been a managed market. If the companies and their managements were doing what they say they should be doing, we would not be having this debate today. It is sad that it has come to this, but I hope that the fact that it has means that we can draw a line in the sand and that this will be my last appearance on this subject.

James Heappey: It is a pleasure to follow the right hon. Member for Don Valley (Caroline Flint), with whom I agree on the risk to green tariffs and on making sure that we do not perpetuate the belief that green tariffs are a premium product. We want them to become the universal norm.

Generally, the Bill is a necessary evil. Interference with the market is not our first choice of action, but it is the consequence of a market that has stopped working and is exploiting customers, especially those who are least engaged in it. The Bill’s key point is its temporariness.

I know that the Minister shares my strong belief that temporary should be as temporary as it absolutely can be. It therefore becomes essential that once the Bill is passed—it is good to see the Opposition’s continued support—Ofgem moves very quickly not only to come up with a mechanism for price capping, but to consider what sort of market transformation it can deliver as it changes the regulatory framework in the market, so that we end up with something that is markedly better than what we have now. The big savings come not from a cap that cuts bills by £100 or more, but from the delivery of an energy market that is digitised and cheaper because we have facilitated the disruptive powers of all the new suppliers that are coming in, which in turn will encourage the current large suppliers to change their ways to do business better.

I intervened on the shadow Minister, the hon. Member for Southampton, Test (Dr Whitehead), about his amendment 5, so I will not say anything more about that. The purpose served by amendment 6, as we discussed in Committee, is to say to the energy companies that all they need to do is save customers £100—so they will just save customers £100. I passionately believe, therefore, that we should not tell them just to save customers £100. Instead, we should deliver the biggest saving that we can deliver, but the moment that we put a figure on it, lo and behold, that is exactly what all the energy companies will deliver.

The hon. Gentleman has made some changes to amendment 7 since Committee stage. He knows I share his concerns about vulnerable customers and possible unintended consequences. I am pleased that the Minister will be keen to reassure us that the Government have got this covered, but I prefer amendment 9, tabled by the hon. Member for Leeds West (Rachel Reeves),
which has the support of many on the Select Committee and is well worth considering. The Government have looked at the vulnerable customer issue since Committee stage, and I wonder, given today’s very sensible amendments, if they might run one more lap on this between now and consideration in another place.

On amendment 8, which we also discussed in Committee and which the hon. Gentleman has also come back with, my concern is that the list could be much longer. If we are to specify all the circumstances, why not designate another dozen or two dozen things that we could legislate for, if we absolutely had to? I am not convinced it is necessary.

I also have a problem with new clause 1, because the Bill needs to be temporary. As I said either on Second Reading or in a Westminster Hall debate, it needs to be a raid into the energy market, not an occupation. New clause 1 is a raid with a few troops left behind thereafter, which I am not sure I like very much. We want to ensure that Mr Nolan and his team at Ofgem can, in delivering the price cap, facilitate a transformation in the market that makes such legislative provisions redundant. The consumer-friendly, disrupted, digitised market that waits will be so much cheaper that we will be glad to have made this slightly un-Conservative, temporary raid into the market, to deliver something on the other side that is much better for consumers.

Alan Brown: The Bill is designed to intervene in the energy market and correct market failure, which is why it has cross-party support, but not surprisingly, because it is a reaction to market failure, there are nuanced differences in how people think that can best be dealt with. One good thing is that everybody seems keen to protect the most vulnerable customers. The question is: what do effective competition and a fairer market look like?

One fundamental still being debated is whether the cap should be a relative or an absolute cap. The hon. Member for Weston-super-Mare (John Penrose), who has been absolutely consistent in his belief that it should be a relative cap, should be commended for sticking by that, although obviously that does not mean I agree with him. As I mentioned in an intervention, one concern about a relative cap is that, because of the bunching effect, we might lose the competitive tariffs at the bottom end. We heard evidence of that in Committee. Some of the newer energy companies argue that they could deliver the lower tariffs even if there were a relative cap, but somehow it would work better being relative. It is a reaction to market failure, there are nuanced differences in how people think that can best be dealt with. One good thing is that everybody seems keen to protect the most vulnerable customers. The question is: what do effective competition and a fairer market look like?

That brings me to new clause 1, tabled by the Labour Front Benchers. I am struggling to get my head around it. Let us look at who supports a relative cap versus an absolute cap. Ofgem, the regulator that will have to implement it and Citizens Advice are in favour of an absolute cap. Citizens Advice is a third sector organisation that works for the most vulnerable in society on a daily basis and often has to deal with those bearing the brunt of the Government’s austerity agenda, and if it says it is in favour of an absolute cap, I think we should listen. Now let us look at the company the hon. Member for Weston-super-Mare keeps. Signatories to his amendments include the hon. Member for North East Somerset (Mr Rees-Mogg) and the right hon. Member for Wokingham (John Redwood)—two of the most right-wing, free-market capitalists in this place. That helps me to make up my mind.

I do not think that amendment 6, tabled by the shadow Minister, works either. Despite the talk of soundbites in The Sun and other political soundbites, I do not think that putting an arbitrary figure into primary legislation is the way to address the problem, and so I do not think amendment 6 would work properly. Amendments 7 and 9, both tabled by Labour Members, show a disjointed approach, but the good thing is that both would protect vulnerable customers, so in principle I would support either. That said, amendment 9 has cross-party support, including from my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry), so if that were to be pushed to a vote, I would be more than happy to vote for it to provide those safeguards for vulnerable customers.

If we believe the market is broken, we need in principle to define what a successful market looks like, and Labour’s amendment 8 sets out quite well what criteria Ofgem should use when considering whether the market is realigning itself much more fairly. I therefore support the principle of that amendment. I tabled my own amendment in Committee, but this one is much clearer and provides a better description.

The final amendment on the amendment paper is amendment 1. The right hon. Member for Birkenhead (Frank Field) did not speak to it for long, but I empathise with his arguments. My only concern is that, for it to work properly, we would need the roll-out of SMETS 2 meters, as the SMETS 1 meters, which are currently being rolled out, do not enable what the amendment seeks to achieve in terms of automatically providing better tariffs for customers. None the less, I certainly agree with the principle of the amendment.

Andrew Lewer (Northampton South) (Con): I welcome the opportunity to speak on the Bill and the amendments. Millions of consumers in the UK are facing challenges with their energy bills, and I find it outrageous that loyalty is punished by some energy companies. It is counterproductive, especially for those speaking up for the free market. We must be careful, however, not to commit the politician’s syllogism from “Yes, Minister”: “There is a problem. Something must be done. This is something, so let’s do this.” The amendments seek to ameliorate that.

I am not a great believer in the idea that the gentlemen in Whitehall know best when it comes to running energy, and I worry that the idea that said proverbial gentlemen in a panel are best placed to determine energy prices
gives succour to Labour ideas that it, as the state, is best placed to run the whole sector. The fact that Labour does believe that is precisely why I would not support any of its amendments but will support those of the Government who, notwithstanding their occasional prices and incomes board-type moments, represent a strong—indeed, the best—bulwark against socialism.

I will not go into huge technical details other than to praise the work and determination of my hon. Friend the Member for Weston-super-Mare (John Penrose), who has argued for a more dynamic solution to this problem, proposing a maximum mark-up between the ultra-competitive, consumer-friendly deals and the default tariffs that loyal customers pay. I supported his amendments and the intention to point out a better way of stimulating the market towards greater fairness via relative cap mechanisms.

Nevertheless, the fact is we are facing an urgent problem for which we need an urgent solution. To this end, I will support the Bill with—and, indeed, because of—the added sunset clauses, for which I thank the Minister, and which make this a temporary measure up until 2020. I hope that comments from me and others will point the way ahead at that time.

Patricia Gibson (North Ayrshire and Arran) (SNP): I am delighted to support the Bill, and I am glad to have worked with the hon. Member for Weston-super-Mare (John Penrose), who was instrumental in its introduction and in pushing for the cap. It is disappointing that Ofgem required five months in which to implement it, but at least we shall have it in time for winter 2018.

The amendments to support and protect vulnerable and domestic consumers during the cap’s implementation are of course welcome, and it is right for the Minister and Ofgem to take account of the distinct needs and circumstances of vulnerable consumers when setting the cap, but since entering the House I, like the hon. Gentleman, have developed a healthy scepticism in my opinion of the way in which regulators, including Ofgem, go about their business—or not, as the case may be.

More than a quarter of households that contain a disabled person—27%, or about 4.1 million—spend more than £1,500 a year on energy, and 790,000 of those spend more than £2,500. In my constituency, consumers are overpaying for electricity by £5.5 million a year. There is no denying that high energy costs have a serious impact on disabled people’s financial resilience. They limit those people’s ability to access employment and training and savings, and their ability to participate fully in society. Vulnerable and disabled consumers face higher energy costs than any other consumers, and that must be factored into any consideration.

As we heard earlier, the amendments that are intended to establish either an ongoing tariff differential or a relative cap are simply not robust enough to ensure that consumers would ultimately benefit from them. There is a risk that both the relative tariff differential and the relative cap could trigger unintended consequences, such as energy companies’ raising their minimum tariffs to meet the required difference from their maximum tariffs. That poses a series of questions about consumers’ interests. Indeed, stakeholders such as Ofgem, the Government and Citizens Advice have warned that a relative cap would not prevent overcharging and might simply result in price increases for the best-value tariffs. There is widespread agreement that an absolute cap is the best option if overcharging is to be prevented. Moreover, a relative cap might decrease the number of people switching providers or tariffs, which would clearly not be in the interests of consumers.

We need to know more details of the criteria that Ofgem must follow when conducting its review of competition for domestic supply contracts under clause 7. Those criteria are set out in amendment 8. It is essential that the Minister and Ofgem are as transparent as possible when setting the targets, so that the price cap does what it says on the tin. The hon. Member for Wells (James Heappey) spoke about time of use tariffs. I am extremely suspicious of those, because they will inevitably penalise families with children, who have little flexibility when it comes to controlling when they use their energy. I do not think any of us want that.

James Heappey: The hon. Lady makes a good point, but I think that there will automatically be technology in white goods, for instance, that will allow people to shift their demand to take advantage of time of use tariffs. Most families will save significantly as a result.

Patricia Gibson: I thank the hon. Gentleman for that clarification. I appreciate that such tariffs will benefit some consumers—I do not think anyone would deny that—but I question whether the system would be flexible enough to benefit all families with children, and others whose energy use cannot be as flexible as they might like.

The amendment to ensure that customers must benefit from the cap by at least £100 seems very arbitrary and risks unintended consequences. I agree with the hon. Member for Wells about that, and with my hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown). There is widespread concern that the big energy companies will use exemptions and green tariffs to ensure that they meet the target.

It is essential that the Bill delivers for consumers and that the period of the cap is used to deliver a fairer, more competitive market for consumers. It must deliver a change for consumers who have been overcharged for too long. There is consensus that the energy market is broken and needs to be fixed, which is why the Bill was introduced in the first place. It enables us to begin to do that, but we must ensure that we get it right and that there are no unintended consequences for the very consumers whom we seek to protect and assist. I know that the Minister will be mindful of that. We need to ensure that consumers benefit from action on this issue after the tariff is lifted in 2020 or 2023.

The launch of the independently chaired commission for customers in vulnerable circumstances by Energy UK in January will report on its findings and recommendations on energy companies, the Government, regulators and consumer groups towards the end of this year. I hope that the Minister or the Secretary of State will note that as we approach the end of the tariff cap, so that the voices of consumers can feed directly into the process of ensuring that they are offered as much protection as possible as the broken market is improved to become more fair and transparent.

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to follow the hon. Member for North Ayrshire and Arran (Patricia Gibson).
It is clear that the energy market is not working for the consumer, and with that in mind, I am pleased to support the Bill. However, I firmly believe that these additional measures must be temporary. Permanent Government intervention in the energy market of the kind that is proposed in new clause 1 is, I believe, unnecessary. Indeed, things are already changing. As recently as 2010, there were only 13 energy suppliers in the United Kingdom; now there are well over 60. Independent suppliers are growing and, rightly, posing new challenges for the big six. They already account for some 20% of the dual fuel market.

The basis of healthy competition is enabling consumers to go elsewhere with relative ease if they find a better deal. Nearly 20% of households a year already switch suppliers. By making switching quicker and easier, we can make that figure even higher and force big suppliers to stop taking long-standing customers for granted as they have done for many years.

There are now about 10 million first-generation smart meters in operation in the United Kingdom. While the roll-out is progressing, there is a long way to go to meet the ambitious target of 53 million by 2020. In the context of the Bill, a key element is the roll-out of the SMETS 2 meters, which is due to begin this year. SMETS 2 consumers will benefit from quick and easy switching, and the meters should be intelligent enough to identify the lowest tariff. They have the potential to be a real force for competition in the energy market. At that point, there will be no need for the price cap, which is why it would not be prudent to introduce a permanent relative cap. It would be bad for customers, and it would work against the positive changes that will be made over the next few years.

New clause 1 is the product of a belief that markets simply do not work. As a Conservative, I believe that they can work. I note the progress that we have made, and the progress that we will make in the coming years. I acknowledge that the market needs the temporary cap, and I support the Bill as a means of protecting consumers, not only in my constituency but throughout Scotland and throughout the United Kingdom. I am sure that it will contribute to a reduction in the very real fuel poverty that some people endure.

Michelle Donelan (Chippenham) (Con): I am delighted to speak about the Bill, having supported it throughout this Parliament and having been a member of the Bill Committee. I think it important that, when considering the new clauses and amendments, we consider the fundamental aim of the Bill, which is to guarantee protection for the 11 million households that are currently on the highest energy tariffs—as well as the 5 million vulnerable households that are already protected by Ofgem’s prepayment meter safeguard tariff cap—by introducing a measured temporary intervention to correct a market that is currently letting down and ripping off thousands of people in my constituency, and millions throughout the country.

New clause 1 would allow the Secretary of State to make requirements in relation to a differential between the cheapest and the most expensive rates offered by suppliers: in other words, a relative price cap. In practice, that would mean that once effective competition was in place in the market—or by the end of 2023 at the latest—and that tariff cap was removed, a maximum differential between the most expensive and the cheapest tariffs would be introduced. That goes against the principle of the Bill, which is to ensure that it is temporary. This should be a temporary measure to correct the market, and it should not allow Government intervention to remain permanent. This Bill is based on a mandate that came out of the Conservative manifesto, which set out a temporary intervention.

8 pm

Amendments 2, 3 and 4 would also mean that a relative cap was introduced, but instead of an absolute cap. I am sympathetic to the reasons for wanting a relative cap and its intentions; however, I am concerned that a relative cap on its own would offer little protection to people on poor-value single, variable and default tariffs. I believe an absolute tariff cap would better protect all consumers on single variable tariffs.

Ofgem said in its evidence that a relative cap would be gained by larger suppliers, as they would be more likely to remove their cheapest tariffs than to reduce the most expensive ones, and MoneySavingExpert said in its evidence that a relative price cap would lead to the loss of the cheapest deals and therefore disincentive switchers from continuing to switch.

The aim of the price cap is to protect consumers in the market without removing the incentives to switch. There is a risk in these amendments that consumers will not be protected and there will be no limit for the price of single variable tariffs, and also that there will be less of an incentive to switch. There is therefore a significant risk that introducing a relative cap, instead of an absolute one, could lead to increased prices for many consumers, and I am not prepared to vote for, or support, a measure that could risk my constituents’ pockets.

I believe in a free market, but I also believe in a fair one, which is why I support this Bill as it seeks to put the interests of the consumers in my constituency and the country first, and repair a broken market through a temporary and intelligent measure. I understand and appreciate the concerns of other Members supporting a relative cap, but I am supporting an absolute one, and I shall conclude by echoing the sentiment expressed by the chief executive of Good Energy, a company in my constituency, when appearing before the Bill Committee, who said:

“If you have an absolute price cap, you will obviously see that the affordability of the lower tariffs for the big six will be less; you will see some shrinkage between the highest price and the lowest price. That is what we are trying to do.”—[Official Report, Domestic Gas and Electricity (Tariff Cap) Public Bill Committee, 13 March 2018; c. 5.]

Rebecca Pow rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): I call Rebecca Pow.

Rebecca Pow: Thank you, Mr Deputy Speaker; I am bringing up the rear, as they say.

Mr Deputy Speaker: I was not going to ignore you.

Rebecca Pow: Thank you.

I am delighted to speak in support of this Bill. It focuses on a temporary managing of the energy market, which has not been managed well enough, which is why we are talking about the whole concept of this Bill. I will speak briefly, and only to amendments 7 and 9. I do
not disagree with the sentiment of, and intention behind, these amendments, and above all it is, of course, vitally important that we look after the vulnerable in society, in particular in terms of energy, and especially when the market is deemed not to be functioning properly.

It is crucial that people can keep warm and cook the right food and that they are comfortable and well, but this Bill already addresses that. It places a new set of duties and powers on Ofgem to protect consumers on variable and default tariffs, and Ofgem already has a duty under the electricity and gas Acts to have regard to the need to protect vulnerable customers. We should also remember that in 2016 the Competition and Markets Authority made an order, following its energy market review, to put in place a safeguard tariff for customers on prepayment meters, and about 4 million people have benefited from that. Last year, Ofgem took the decision under its principal duties in the electricity and gas Acts to extend the safeguard tariff to customers in receipt of the warm home discount.

Ofgem must have regard to the need to protect vulnerable customers when exercising its functions under these Acts, and I would argue that that is already being done. However, I agree with my hon. Friend. Friend the Member for Stirling (Stephen Kerr) that it is crucial that Ofgem uses its powers and uses them well and that its feet are held to the fire in this respect—to use an energy term. It also introduced an enforceable vulnerability principle into the domestic standards of conduct, making it clear that suppliers must do more to treat vulnerable customers fairly, and this must be done.

Realistically, therefore, these amendments seem to be overkill, placing new obligations on Ofgem that are not necessary; however, it must use the powers it has. Also, as many Members have said, the powers in this Bill are only temporary: the price cap operated by Ofgem is not intended to last beyond 2023, and I fully support that. By contrast, Ofgem’s powers to protect vulnerable customers under the electricity and gas Acts are not limited.

It is necessary to bring in the fairness that this Bill has right at its heart. Its main aim is to place a new set of duties and powers on Ofgem to protect consumers on standard variable tariffs. That is what this is really all about; far too many people have been taken for a ride. In 2016, about 11 million people were paying a total of £2 billion over the odds for their energy; that is simply not right. Individuals are said to be paying about £300 too much. Many people falling into this category are the elderly, and I am speaking on this Bill in part because Somerset has a particularly ageing population, and they have been taken advantage of, as indeed have many young people who are in rental accommodation because they are tied to one form or another of payment.

We must not mess about any further with this Bill. We must be able to see the wood for the trees; we do not want to bring in another lot of suggestions and regulations that delay the Bill, because it is more important than ever that its measures come into operation this winter. It is essential that we protect the vulnerable, but it is not necessary to legislate further on vulnerability, as suggested by amendments 7 and 9. I hope that on this basis the amendments will be withdrawn.

The Minister for Energy and Clean Growth (Claire Perry): I thank all colleagues here this afternoon for their intelligent and sensible contributions to a debate that has run for several years. We are now within striking distance of bringing this Bill to a conclusion and sending it off in good order to the other place. I particularly thank my relatively close—geographically speaking—party colleague, my hon. Friend the Member for Weston-super-Mare (John Penrose), whose dogged and intelligent scrutiny, along with that of his colleagues, has made this a much better Bill, and I pay the same compliment to the hon. Member for Leeds West (Rachel Reeves) and her Select Committee. This shows that when we work together we can deliver good legislation. I will respond to the amendments discussed today and my hope is that in doing so no Member feels obliged to press their amendments to a vote.

New clause 1, which we discussed at length in Committee and again today, seeks to introduce an ongoing, almost perpetual, relative price cap once the absolute price cap is removed. Like the Member speaking for the Scottish National party, the hon. Member for Kilmarnock and Loudoun (Alan Brown), I am a little perplexed by this amendment, as I said in Committee. The hon. Member for Southampton, Test (Dr Whitehead) has spoken so powerfully on many occasions against a relative cap and in favour of an absolute cap, and yet this new clause suggests bringing in the opposite: a relative cap on a perpetual basis. I will talk more about the issues we have with relative caps, but this is a little counterintuitive. It would also mean—this will be anathema to many colleagues who have spoken passionately today in support of a relative cap—effectively perpetual Government intervention in the energy market. There is strong agreement across the House in favour of competitive markets delivering the best for consumers. When those markets are broken, or regulation slips out of date, it is right to improve the powers of regulators, but perpetual Government intervention, particularly in setting prices, is not the way to deliver the best outcomes. Therefore, the new clause is not necessary.

Moving on to the comments on relative caps, Ofgem said in its evidence, which others strongly supported, that a relative cap will be gamed by the largest suppliers. If we introduce this hypothesis, it will be gamed. As my hon. Friend the Member for Eddisbury (Antoinette Sandbach) also pointed out, we also heard in Select Committee evidence sessions that there was overwhelming support for an absolute cap—now and then.

John Penrose:—

Claire Perry: My hon. Friend wishes to intervene, and I will of course give way.

John Penrose: I hesitate to pray the Labour Front Benchers in aid of my argument, but the Minister has just quoted Ofgem in favour of hers, so perhaps it will make sense. Does she not agree that it would be commercial suicide for a supplier to raise its tariffs in the competitive market, to protect its position, were a relative cap to be introduced? I think the shadow Minister said earlier that it would be commercially suicidal or a kamikaze move.

Claire Perry: I am afraid that I have to disagree with my hon. Friend and reject that point. That is what has been happening for many years to the most vulnerable customers, who have seen price rises recently and who
are not switching for a variety of reasons. We are trying to deal with that customer group today. I hope that the hon. Member for Southampton, Test will withdraw the new clause on the basis that it is not rational and not needed.

Amendment 5 proposes that a set period of five months be placed in the Bill. We debated that at length in Committee, and I believe that we are all seized of the need to bring the Bill into force in good order as quickly as possible—we do not want to wait any longer. We want the Bill to be in place by the time we rise for the summer recess, and obviously it has to go through the other place first. We want the caps to be transparent and to be applied in time for this winter, 2018, so that people can start to benefit and make savings on their energy bills immediately.

We heard from Back Benchers why they felt the five months provision would be difficult, and I will add my concern that if Ofgem were to go over such a legal limit, even by a couple of days, it could inhibit its ability legally to bring forward the cap. We must do nothing to reduce Ofgem’s ability to consult on the cap and put it in place. It is worth emphasising again—I am sure the regulators and others are listening—that we want and expect the cap to be in place by the end of the year. I do not think the proposal in amendment 5 is either legally permissible or necessary.

Amendments 2, 3 and 4 were tabled by my hon. Friend the Member for Weston-super-Mare and supported by many Members who have thought carefully about this issue. We have refined the Bill through the course of our discussions and made it into a better piece of legislation, and I am grateful for that. We have heard again today many of the arguments that we have heard during the Bill’s passage. We are talking about a theoretical position in talking about a relative cap, because the only cap we currently have is the safeguard tariff, which is an absolute cap and which appears to be working to save customers money.

Our concern is that with a relative cap, we could see suppliers lifting their skirts on their cheaper tariffs, and that there could be an inhibiting effect on some of the innovations that my hon. Friend the Member for Wells (James Heappey) mentioned, with companies charging extremely low prices for time of use tariffs. We heard overwhelming evidence during the evidence sessions chaired by the hon. Member for Leeds West, and also in the Public Bill Committee, that absolute caps were considered a much better way of bringing forward the protections that we all want. That is the view of Ofgem, the Select Committee, Citizens Advice, moneysupermarket.com and some of the new energy companies, and I am persuaded that those organisations have the interests of the customers we are trying to help at heart.

I am also concerned that if we had relative caps, there could be a lot of gaming going on and a lot less transparency. We have talked about what would happen if suppliers lifted their prices. We know that the trouble we have is with a group of customers we refer to as disengaged. They are not digitally enabled; they tend to be older, on lower incomes and more vulnerable; and they are not as susceptible or sensitive to the price elasticity that would perhaps persuade others to switch.

The aim of this price cap Bill is to protect those customers, so I do not believe that it is necessary to accept those amendments.

John Penrose: I just want to point out that the criticism that the relative cap can result in an increase in switching rates and tariffs has equally been applied to the absolute cap. There has been criticism of both kinds of cap, not just of the relative cap.

Claire Perry: There has been a lot of criticism of both kinds of cap, but if we look at the one sort of cap that we have—the prepayment meter cap that is extended to vulnerable customers—we see that those customers have saved between £60 and £120 on the basis of that cap. It has actually worked to reduce their prices. I am pleased that my hon. Friend is not intending to press his amendment to a vote.

Amendment 6 seeks to ensure that we have a stated amount of the savings that might accrue. I think that is perhaps slightly mischievous, and it does not really reflect the consensual spirit that we have had throughout the passage of the Bill. I can imagine that the people coming up with these numbers were looking at the savings that we have discussed in relation to the prepayment cap, or indeed the £300 average difference between the most expensive and the cheapest tariffs in the market. However, as my right hon. Friend the Member for Wokingham (John Redwood) said, we need to calculate volume as well as price to estimate the service, and we do not yet know what cap Ofgem will set. We also do not want to constrain Ofgem’s ability to set the cap or to create targets for the big six to work towards as the maximum saving. I hope that, on the basis of that explanation, the hon. Member for Southampton, Test will be content not to press his amendment.

8.15 pm

Amendments 1, 7 and 9 bring us to the extremely important point of how we ensure that the cap does not in any way reduce price protection for the most vulnerable customers. I am proud to say that those customers have, over the past few years, been protected through the prepayment meter cap and through the extension of that price to customers in receipt of the warm home discount. We all believe that that is absolutely vital. Indeed, as the hon. Member for Leeds West said, it would be perverse for the cap to come in and for prices to go up for those customers. The requirements in the Bill for Ofgem to pay attention to its existing powers, which of course include a duty to protect the most vulnerable, are sufficient, and the Bill is in addition to and does not replace or replicate those duties. I am extremely keen to examine the point further without amending the Bill, so I will take it away and consider it to see whether there are other messages that we might convey to Ofgem to ensure that this extremely valuable point is not missed.

Frank Field: Might the Minister meet people to discuss amendment 1 further?

Claire Perry: There has been a huge amount of scrutiny, and I am hoping that we can get the legislation through to the other place, but my door is open. We want a well-functioning energy market that works for everybody and provides competitively priced energy.
I was asked an important question about the statutory instrument, which is also going through the House, that enables data sharing between the DWP and others. It has completed its pre-legislative scrutiny and will be introduced during the passage of this Bill. It is a vital and necessary part of ensuring that the powers in the Bill work.

**Dr Whitehead:** Will the Minister be clear with us tonight that the safeguard tariff and the absolute cap do not contradict each other and that they can be introduced together, so that the protections can continue? Is she convinced that that is the way forward?

**Claire Perry:** There is nothing in the Bill that interferes with Ofgem’s ability to extend the safeguard tariff, which is part of an existing separate set of powers. By having this discussion, we are sending a clear message that we expect Ofgem to retain adequate protections for the most vulnerable consumers once the Bill is passed. I thank colleagues for putting that matter forward for debate today, because it is an absolutely vital point that we must get across. However, on the basis of my responses, I hope that the hon. Member for Leeds West will not feel the need to press amendment 9.

Amendment 8 essentially sets out the conditions that would determine success when we consider whether the price cap should be removed. As we discussed in Committee, it is not the job of Ministers to prejudge the regulator’s work on what a good market will look like in two years’ time. This country has seen some of the most rapid evolution in energy innovation, and in the future there may well be factors that are no longer considered relevant in establishing competition or factors that do not best address consumers’ needs. I do not want to put anything into the Bill that would give energy companies something to target. The Bill is supposed to be about giving the regulator broad powers to ensure that companies deliver a better price for consumers, not try to engineer a particular outcome. I hope that the hon. Member for Southampton, Test considers that a sufficient explanation and will not press amendment 8.

It has been great to have so much cross-party conversation and discussion on this important piece of legislation. I forgot to mention the vital point made by the right hon. Member for Don Valley (Caroline Flint) about green tariffs, but the process of setting such tariffs will be scrutinised as never before and we will have better, more transparent tariffs as a result. I hope that all Members are satisfied with the explanations I have provided and that we will not need to trouble the Lobby Clerks this evening.

**Dr Whitehead:** On the basis of the explanations that have been put forward, we will be happy not to press our amendments, but we will wish to press new clause 1, which has not been properly understood or responded to this evening.

**Question put,** That the clause be read a Second time.

**The House divided:** Ayes 125, Noes 288.

**Division No. 142**

[8.20 pm]

**AYES**

Brown, rh Mr Nicholas  Lucas, Caroline
Bryant, Chris  Lucas, Ian C.
Burgon, Richard  Madders, Justin
Campbell, rh Mr Alan  Mann, John
Campbell, Mr Ronnie  Marsden, Gordon
Carden, Dan  Martin, Sandy
Chapman, Jenny  Maskell, Rachael
Charalambous, Bambos  Matheson, Christian
Cooper, rh Yvette  McCarthy, Kerry
Creagh, Mary  McDonald, Andy
Creasy, Stella  McFadden, rh Mr Pat
Cryer, John  Mclnnes, Liz
Cunningham, Alex  Mears, Ian
Cunningham, Mr Jim  Moon, Mrs Madeleine
Dakin, Nic  Morden, Jessica
David, Wayne  Morgan, Stephen
De Cordova, Marsha  Mobbs, Grahame
Debbonaire, Thangam  Murray, Ian
Dent Coad, Emma  Onasanya, Fiona
Dhesi, Mr Tanmanjeet Singh  Onn, Melanie
Doughty, Stephen  Onwurah, Chi
Dowd, Peter  Osamar, Kate
Drew, Dr David  Owen, Albert
Elliott, Julie  Perkins, Toby
Eaton, Bill  Pidcock, Laura
Evans, Chris  Pound, Stephen
Fletcher, Colleen  Rees, Christina
Fovargue, Yvonne  Reynolds, Jonathan
Foxcroft, Vicky  Rowley, Danielle
Gaffney, Hugh  Ruane, Chris
Gapes, Mike  Russell-Moyle, Lloyd
Gardiner, Barry  Skinner, Mr Dennis
George, Ruth  Smeeth, Ruth
Gill, Preet Kaur  Smith, Cat
Glindon, Mary  Smith, Eleanor
Green, Kate  Smith, Laura
Greenwood, Lilian  Smyth, Karin
Griffith, Nia  Sobel, Alex
Grogan, John  Spellar, rh John
Haigh, Louise  Sweeney, Mr Paul
Hanson, rh David  Tami, Mark
Hardy, Emma  Thomas, Gareth
Harris, Carolyn  Thomas-Symonds, Nick
Healey, rh John  Twigg, Derek
Hill, Mike  Twist, Liz
Hiller, Meg  Vaz, Valerie
Hodge, rh Dame Margaret  Walker, Thelma
Hodgson, Mrs Sharon  West, Catherine
Hollem, Kate  Western, Matt
Jones, Gerald  Whitehead, Dr Alan
Jones, Susan Elan  Whittfield, Martin
Kane, Mike  Williams, Dr Paul
Khan, Afzal  Williamson, Chris
Killen, Ged  Wilson, Phil
Kyle, Peter  Zeichner, Daniel
Laid, Lesley  *Tellers for the Ayes:* 
Lammy, rh Mr David  Nick Smith and
Leslie, Mr Chris  Jeff Smith
Lewis, Mr Ivan
Long Bailey, Rebecca

**NOES**

Adams, Nigel  Atkins, Victoria
Afekari, Bim  Bacon, Mr Richard
Afryie, Adam  Badenoch, Mrs Kemi
Aldous, Peter  Baker, Mr Steve
Allan, Lucy  Baldwin, Harriett
Allen, Heidi  Barclay, Stephen
Amess, Sir David  Bebb, Guto
Andrew, Stuart  Bellingham, Sir Henry
Argar, Edward  Berry, Jake

Benn, rh Hilary  Betts, Mr Clive
Bets, Mr Clive  Blomfield, Paul
Brennan, Kevin  Brown, Lynn
Brown, Lyn
Domestic Gas and Electricity (Tariff Cap) Bill

30 APRIL 2018

Third Reading

Question accordingly negatived.

Tellers for the Noes:
Mike Freer and Wendy Morton
8.36 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): I beg to move, That the Bill be now read the Third time.

Creating a more affordable and competitive energy market that works for British families was a central pillar of the Government’s manifesto last year. Every household in the country depends on gas or electricity, or both—they are essential services on which we all rely. On average, each household spends about £1,250 a year on energy at home. It is one of our biggest household bills, and for the poorest 10% of households, energy is about 10% of their annual household expenditure. Yet in the past few years, prices for customers on standard variable and default tariffs have not declined; they have continued to increase. The further price hikes we have witnessed in recent weeks from a number of the big six suppliers are consistent with the analysis of the Competition and Markets Authority that that part of the market is not operating competitively.

The Government’s ambition is to make sure that Britain has an innovative, competitive, productive and prosperous economy. To underpin that, we need an energy market that works to the benefit of consumers, workers, investors and, of course, the environment. This Government recognised, as did the CMA, that for 11 million customers on standard variable tariffs, the market is not working. In many cases, prices are above what they would be in a competitive market.

The Bill therefore focuses narrowly on a problem that has been exposed as highly significant: overpricing for consumers who have remained loyal to their energy providers. This segment of the market has displayed weak competition. Such behaviour on the part of the energy companies must come to an end, and the Bill, along with other measures, will help to end the abuse. The Bill requires Ofgem to introduce a temporary absolute tariff cap on SVTs—default rates—that will protect consumers. That will go alongside complementary measures enacted by this Government, including the roll-out of smart meters, together with other reforms that Ofgem is making to the market. This has been welcomed by new entrants in the market, which are providing more choice for consumers that ever before. A number of them provided evidence during the Bill’s scrutiny.

I would like to take a moment to express my gratitude to hon. Members for the way in which they have engaged with the Bill throughout its passage. I thank Members on both sides of the House who have contributed to its development, especially those who served on the Select Committee, which gave the Bill valuable pre-legislative scrutiny, and those who served on the Public Bill Committee. The discussions were excellent and forensic, and the Bill has been strengthened during its passage through the House. I pay particular tribute to and thank my right hon. Friend the Member for Southampton, Test (Dr Whitehead), who over the past weeks and months has spent many hours working on not only this Bill, but a great many pieces of legislation. I thank the Public Bill Office and the Clerks for their tremendous support, as always.

Somewhat unusually, I am delighted that we are here to send a Bill to the other place in a speedy fashion. The Opposition will support the Bill’s Third Reading. However, the Minister and the Secretary of State, diligent as they are, may share some of my exasperation that wider Government inaction—shall we say?—and delay at the beginning of this Parliament has meant that millions of people are still suffering with big energy bills as the winter comes to a close.

The 2017 Conservative manifesto committed to implementing an energy price cap that would protect 17 million households. On 9 May 2017, the Prime Minister herself wrote of the cap in The Sun:

“I expect it to save families on poor value tariffs as much as £100.”

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“I expect it to save families on poor value tariffs as much as £100.”
Yet the policy was thrown into doubt when the Queen’s Speech said merely that the Government would introduce “measures to help tackle unfair practices in the energy market to help reduce energy bills.” That was followed by numerous letters between Ofgem and the Secretary of State in which it was made clear that legislation was required, but the Government still did not introduce a draft Bill.

It was not until mid-October that we saw evidence of the Government’s commitment coming to fruition, but even then there were reports that some in the Cabinet had no intention of seeing legislation on the statute book. Thankfully, pressure from the Opposition, and indeed from Government Members, has ensured that the Bill has made progress. A price cap will therefore eventually be in place, but the fact sadly remains that in nine days’ time it will have been exactly a year since the eventuality be in place, but the fact sadly remains that in

I am happy that we are here today—I commend the Minister and the Secretary of State—but it is disappointing to say the least that a year has passed and the cap is still some way from implementation. As a result, energy customers have not been protected during a winter in which we have seen some of the coldest weather on record. Prices have continued to rise, and in the past couple of weeks, British Gas has announced a 5.5% price rise, while EDF has announced a 2.7% rise.

My hon. Friend the Member for Southampton, Test and other hon. Members attempted to improve this Bill and help the Government to ensure that their own commitments were met. Sadly, although the Minister was very amiable, the Government did not accept many of the amendments.

Caroline Flint: May I add another couple of dates to help Members to understand how long it has taken to get us here today? I think that, as I get older, collective memory becomes an even more important asset. It was in October 2011 when the then Prime Minister, David Cameron, held a summit to tackle rising energy prices, and it was in October last year—six years later—when we finally heard talk of a Bill.

Rebecca Long Bailey: My right hon. Friend is correct. I share her exasperation and that of many Members on both sides of the House about how long it has taken to tackle this very serious issue.

Briefly, let me turn to some of the amendments that were discussed—Members will be pleased to hear that I will not go through all of them. Amendment 6 would have required Ofgem to ensure that the tariff cap conditions resulted in customers on standard variable and default rates having their annual expenditure reduced by no less than £100, as per the Prime Minister’s election promise. If the Government had accepted that amendment, it would have given energy customers confidence that the Government were serious about their commitment significantly to reduce the bills of millions of customers. However, the Minister said that she felt that the Opposition had been mischievous in trying to place a Government policy within a piece of Government legislation. I do not think that I need to say any more about that—we will not try to do so again.

After our discussions in Committee, we redrafted an amendment that we had previously tabled. Rather than proposing a hard stop date, amendment 5 would have simply ensured that the cap would be in place within five months of Royal Assent. Ofgem has stated that it will take five months from Royal Assent to implement the cap. It indicated that placing such a deadline in the Bill would not cause it a problem or hinder its process so, again, it was said that our amendment was not accepted.

Similarly, new clause 1 would have developed requirements for a differential between a supplier’s cheapest and most expensive rates after the termination of the cap. That would have offered a degree of ongoing protection for consumers while wider market reform could take place.

I wish to pick the Secretary of State up on a statement that he made on Second Reading. He said:

“Britain has long been a pioneer in not only the privatisation and liberalisation of industries but the regulation of these utility industries, too.”—[Official Report, 6 March 2018; Vol. 637, c. 206.]

I am afraid that I have to take issue with him. Although I am pleased that the Bill is completing its final stages today, the necessity of the Bill in itself demonstrates the Government’s abject failure adequately to ensure that our UK utilities have been regulated. In the past year alone, £120 has been paid by every household in the UK for dividends to energy company shareholders. As I have said before, the six distribution network operators had an average profit margin after tax of 32% a year between 2010 and 2015, which equates to £10 billion over six years. During that time, shareholders received £5.1 billion in dividends, or half the net profit generated. In the past 10 years, water companies paid 1,000 times more in dividends than in tax. Three of them paid more in dividends than they made in profit in that period, which means that they were borrowing on the back of household bills to pay their shareholders. Radical reform of our energy market is needed—it is not optional, but necessary.

We have yet to see any response to Dieter Helm’s consultation on the cost of energy, which included many proposals for reform. Perhaps the Secretary of State will confirm when a response to that consultation will be published. It is urgent that we have such a response if effective competition is to be achieved by the end of 2020, or indeed by 2023, when the energy price cap will definitely be lifted.

I support the Bill and I welcome this Government action, but, as I have said, the cap is simply a sticking plaster. I hope that the Government will now act speedily and listen to the comments of Members about the wider reforms that our energy market requires.

8.49 pm

Alan Brown: I will be really brief. Clearly, we all support the Bill, so there is no point in over-debating it and delaying things much further. As the Secretary of State said, an overpayment of £1.4 billion was collected from customers in 2016. Some £650 million of that was effectively excess profits that customers were paying to the energy companies. That proves the need for the Bill. We can argue that it should have been introduced before, but at least it is here now, so let us get on with it.

I welcome the Secretary of State’s comments about ensuring that there are safeguards for vulnerable customers. That is really important; it is the whole ethos of the Bill.
I hope that vulnerable customers get the protection that they need. I know that the Conservative party and the Government really hope that the provision will be temporary and that there will be no further state interventions in the market. It would be fantastic if that were the case, but I am not sure whether that will happen—we will wait and see. That is the whole point of Ofgem having the correct measures and of ensuring that we understand how the markets and the companies work. It was interesting that the mere threat of the Bill was enough to make companies change their behaviour and start reviewing their standard variable tariffs. At the very least, we need to be willing to threaten further state intervention if the market is not working as it should.

If we really want customers’ bills to come down, we will need further state intervention, including home energy efficiency schemes. I will finish with my usual plea about getting onshore renewables back on to the market because they are the cheapest form of energy at the moment. We know how successful the bidding process has been for offshore renewables, so let us get the cheapest form of energy back to market and help to bring down customers’ bills. I commend the Bill and look forward to its implementation.

Question put and agreed to.

Bill accordingly read the Third time and passed.
high-quality public services. We spend more per student on education than Japan or Germany, and we have seen our results in reading improve against our international peers. Our health spending is higher than the EU average, and we now have record cancer survival rates. Through our fiscal prudence—that phrase used to be popular on the Labour Benches—we have been able to spend targeted amounts of money to boost our productivity. Infrastructure spending will be at a 40-year high as a proportion of GDP by the end of this period. We are tripling the number of computer science teachers and encouraging more students to take maths at a higher level.

We are now at a turning point. After the highest debt that we have seen in Britain’s peace-time history, we will see debt as a proportion of GDP falling. To people who say that now is the time to turn on the spending taps, I say that would be premature. It is very important that we bring down debt as a proportion of GDP. We know that economies with high levels of debt see a drag on their growth rates and are less resilient to external shocks. We also know that we are spending a huge amount on debt interest. With the debt interest we spend—£50 billion a year—we could completely abolish council tax, business rates or fuel duty.

Simon Hoare (North Dorset) (Con): Does my right hon. Friend agree that one of the most tempting phrases that we often hear from the Opposition Benches, but the one to be resisted most strongly, is “Borrow to invest”? Irrespective of what one does with the money, one is still borrowing it and it still has to be paid back.

Elizabeth Truss: My hon. Friend is right. We are switching spending from current spending to investment, and that is why we have a 40-year high in our infrastructure investment. He is absolutely right that any spending increases the national debt. Because of the actions of the previous Labour Government, who spent 45% of GDP in the public sector and built up a huge debt, it is our responsibility to bring the debt down and make sure that the country gets back in balance.

Ruth George (High Peak) (Lab): Bearing that strategy in mind, how does the Minister explain the fact that the debt interest we spend—£50 billion a year—we could completely abolish council tax, business rates or fuel duty?

Elizabeth Truss: I thank my hon. Friend for making that point. Labour Members seem to believe that by spending more money and borrowing more, we can reduce debt. That simply does not add up. Under Labour’s plans, we would be vulnerable to an external crisis, as we were when it was last in office in 2009. The Labour party seems to welcome that prospect. The shadow Chancellor said that the 2008 economic crash was a “capitalist crisis” for which he had been waiting for a generation. We have a Labour party that is actively planning a run on the banks if it gets into office.

Ruth George: Will the right hon. Lady give way?

Elizabeth Truss: I have already given way to the hon. Lady.

Ten years ago, under Labour, we were in the grip of a financial crisis and scared for the future. It was a period of profligacy, when Labour was spending money we did not have. The state was 45% of GDP, and we saw the longest increase in debt since the Napoleonic wars. It crowded out the private sector, and youth unemployment was on the rise.

We have worked away at the deficit, replenished the public purse and got people back into work, and all while maintaining Britain’s world-class public services. This report shows our sound public finances and our growing economy. [Interruption.] It is a shame that those on the shadow Front Bench seek to talk down our excellent public services. What this debate shows us is that it is vital we stick to the course.

9 pm

Peter Dowd (Bootle) (Lab): Meanwhile, back on planet Earth, a prerequisite of the UK’s participation in the EU has been regular submissions of the Government’s assessment of the UK’s medium-term economic and budgetary position. I think the Chief Secretary to the Treasury will appreciate that one of the advantages of leaving the EU—for once, everyone on the Conservative Benches will agree—is the humiliation, wincing and cringing that the Government will forgo when they no longer need to submit their economic record to the scrutiny of European colleagues. The Government are rudderless, collapsing in on the weight of their own contradictions and economic ineptitude.

Let us turn to the record. While countries in the eurozone post a 10-year high in terms of economic growth, the UK under the Tories is left behind. Let us look at the seven deadly sins of the Tories. No. 1 is self-delusion, which we had in spadefuls from the right hon. Lady. Last year, growth in our economy was the lowest in the G7, and growth in the first quarter was the weakest since 2012. The Office for Budget Responsibility has now revised forecast growth down in both 2021 and 2022 since the Government’s autumn Budget, and growth is lower in every year of the forecast compared with March 2017. The upbeat tone of the Chancellor at the spring statement betrays the economic reality that many have experienced over the last eight years of Conservative mismanagement, and while the Chancellor may want to
blame recent poor growth on a bit of bad weather, those of us living in the real world see an economy desperate for investment.

The second sin is sloth. The Government have provided the slowest recovery since the 1920s, and productivity growth is at its worst for two centuries. On productivity, the Government’s record is one of failure. Productivity forecasts have been revised down this year and for every year of the forecast. While the Treasury celebrates a slight uptick in the productivity figures referred to by the right hon. Lady with a “thumbs up” emoji and manic optimism, the underlying figures show a fall in production and a fall in the hours worked.

Simon Hoare: Particularly in relation to point 2, were the hon. Gentleman to be making the report to the EU, which of the options of the shadow Education Secretary would he be reporting—would Labour’s policy be shit or bust?

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Those are not normal terms that we would use in the House.

Peter Dowd: I would rather not respond to a rather crude comment, which is quite frankly almost as crude as the Government’s economic policy.

Number 3 is profligacy. The right hon. Lady talked about it, but here is a bit of profligacy: since coming to power, the Conservative Government have added more than £700 billion to the national debt. There was no mention of that. The UK’s debt-to-GDP ratio this year stands at a staggering 86.4%, as referred to by my hon. Friend the Member for High Peak (Ruth George). The UK has a higher debt-to-GDP ratio than 20 out of the 27 other EU member states after eight years of this so-called economic miracle.

Sin No. 4 is misplaced pride. The Government have long prided themselves on being the so-called party of business, yet in eight short years they have managed to alienate the business community. Business investment has been revised down for the next two years, and businesses are holding off key investment decisions due to the uncertainty caused by this Government’s shambolic approach to the Brexit negotiations. Ministers claim that the Government have raised an extra £175 billion from a range of measures, but I would rather refer to a recent report of the House of Lords Economic Affairs Committee which found that 60% of the additional tax revenue came from the so-called super-rich and that £150 billion was simply a transfer of wealth from one pocket to another without increasing GDP.

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Under the Conservatives, Her Majesty’s Revenue and Customs has become a pale imitation of its former self, and it will show that what he has said is arrant nonsense. Book. I will send him a signed copy for him to look at, since 2010 on his proposed increases in taxation? the extra 1.2 million businesses that have been created involved and the amount each has raised.

Simon Hoare: Particularly in relation to point 2, were the hon. Gentleman to be making the report to the EU, which of the options of the shadow Education Secretary would he be reporting—would Labour’s policy be shit or bust?

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UK’s economic and budgetary position. It is pleasing that although the UK has voted to leave the European Union, we are still complying with our obligation to submit the report.

Via the European Union (Withdrawal) Bill, we are enshrining in law the rights and obligations that emanate from our EU membership. We are building with the European Union a new relationship, which I very much hope will allow our constituents to trade with, work in, study in and visit the EU. Rather than turning our backs on the EU, we are building a new chapter of our working partnership and friendship, albeit on different terms—on our own terms—which will, I am positive, enable us to maintain our positive relationships in mainland Europe.

We are debating the Government’s assessment of the UK’s economic and budgetary position—a position that we have developed since taking office in 2010. Interestingly, while I was researching our economic position, I came across a page on the BBC website from 2010. Boxes on the right hand side of the page contained our key economic indicators, which in 2010 were as follows: UK economic growth would slow to 0.2%, UK borrowing would hit £163.4 billion, UK unemployment would increase to 2.5 million and UK inflation would rise to 3.4%. Those were the key statistics, as reported by the BBC, as the Labour Government left office.

Fast forward to 2018 and—of course, we still have more to do—growth is projected to rise by 1.5% this year, UK borrowing fell to £42.6 billion during the last financial year, UK unemployment has fallen to 1.4 million and UK inflation fell to 2.5% last month. So if Labour Front Benchers want to talk about how things look now compared with how they looked in 2010, those are the key figures that they need to consider. Interjection, From a sedentary position, the hon. Member for High Peak (Ruth George) mentions debt. The UK’s total debt is still too high, but we have reduced the amount being borrowed each year from 9.9% of GDP when Labour left office to 2.6% now. We still pay £50 billion a year on our overdraft, and that is far too high. It is larger than the schools budget, and it needs to come down.

Peter Grant (Glenrothes) (SNP): It is vital that we do not confuse reducing the deficit with reducing the debt. Will the hon. Gentleman confirm that according to the OBR’s current forecast, the debt will not start to reduce until 2027 at the earliest? Does he think that that is good enough?

Huw Merriman: If we do not reduce the deficit, we will ultimately never reduce the debt. In January, we had a surplus for the first time, so we are getting there. As I say, however, the debt is far too large and needs to be reduced. I applaud the steps that the Government are taking to adopt a balanced approach, whereby we invest in our public services but get the debt down.

The debt causes me a huge amount of concern, because the interest bill will be paid not by my generation or those above me, but by the young. If Labour is serious about adding an extra £100 billion to the debt, the younger generation will be forced to pay back an extra £8 billion a year in interest.

It should not be forgotten that we have focused resources on key public spending commitments, such as health and increasing the amount we spend on the disabled. Opposition Members criticise us for the size of the debt, but when push comes to shove the austerity years, as they are often portrayed, have actually seen spending decreases at about the same rate as those advocated by Alistair Darling in the 2010 Labour party manifesto, so it is either one thing or the other.

My main point on how our economy is working is the fact that an extra 1 million people are now out of unemployment, compared with the last year of the Labour Government. That is crucial. Not only are those people paying into the economy, but they have opportunity, aspiration and hope. That was lost to many people when, yet again, the Labour Government left office with more people unemployed than when they had entered it. We have taken millions out of income tax by lifting the personal allowance from £6,500 to £11,850, reducing bills for 31 million people who still pay income tax. We have introduced the living wage, which will increase pay for 2 million people. One third of my working-age constituents are on the living wage, so it has a huge impact—they are £2,000 better off each year. All those measures make work pay, as seen by the increase in employment to 32 million people—the highest number since records began.

Finally, I would like to make a comparison with our European Union neighbours. Let us consider France. By 2015, we had created more jobs in five years in Yorkshire than have been created by France as a whole. The French are now looking to adopt our welfare reforms. They know that unless they modernise their welfare state, their unemployment rate will never be reduced from a shocking 9.7% to our rate of 4.2%. Some 1.3 million youngsters in France cannot find a job. It is our Government’s policies, in this report, that our EU counterparts are now seeking to replicate. I therefore absolutely recommend the report. I am very proud to stand on the Government Benches on behalf of the party that has delivered it.

9.16 am

Peter Grant (Glenrothes) (SNP): I am grateful for the chance to speak in this debate, although I do so with some trepidation and a degree of puzzlement.

I speak with trepidation, because in preparing for the debate I had a look in Hansard for the equivalent debates in the previous two years and discovered that nobody who spoke for the Scottish National party came through unscathed at the general election. Looking at the empty Benches behind me, it seems the curse of Section 5 has driven others away, too. I speak with puzzlement, because for the past six months every time I have been in the Chamber and we have talked in the European context about Government economic analyses, those on the Government Front Bench have been at desperate pains to persuade us that Government economic analyses are not worth the paper they are written on and are not to be trusted.

Members will recall that those analyses indicated that leaving the EU would take about 9% off economic growth compared with staying in the EU. That was one of the “benefits” of leaving the EU that the Government tried to hide and still do not want to talk about. The Government’s own analysis indicated that even the much
hyped opportunities for striking new trade deals are likely to restore only about 1% of the 9% of the economic growth we will lose. It must therefore strike our European neighbours as somewhat ironic—it certainly strikes me as ironic—that the Government need a parliamentary vote to give them permission to send some numbers to the EU to prove how badly they are running the economy, at the same time as they are doing everything possible to avoid giving a meaningful parliamentary vote on the hard Brexit that threatens to blow even their own projections to smithereens. Perhaps that is what the Office for Budget Responsibility was talking about when it said: “The probability of a cyclical shock occurring sometime over our forecast horizon is fairly high”.

Despite the brave words from the Chief Secretary this evening, the fact is that Brexit is already hurting the economy and the Government’s incompetent, ideologically obsessed drive towards a hard Brexit is making the damage even worse. The London School of Economics estimates that the average household is already £404 a week worse off thanks to the EU referendum result. The Financial Times puts the figure at 0.9% of GDP. That sounds like an innocuously low percentage, but it translates into £18 billion a year out of the economy. That is about £350 million a week. I have heard that £350 million a week somewhere before. It seems that the big white number on the side of the big red bus, telling us how much difference Brexit would make to the NHS, was almost exactly correct—they just forgot to put the minus sign in front of it.

It would be bad enough if the pain of this economic failure was fairly shared. In fact, it would be nice if those who were ultimately responsible had to take any share of the pain, let alone a fair share of it, but of course, all those who are responsible seem to be doing very nicely indeed, thank you very much, because the costs of a failed and discredited austerity programme are being piled on to the shoulders of those who are least able to bear them—the very people any civilised Government would see as a priority to protect and look after.

Last week, it was confirmed that food bank use continues to increase. Why did the Chief Secretary not mention that in her overview of the economy? This week, my local authority, Fife Council—the third biggest in Scotland—reported a big increase in rent arrears owed by council tenants. Oddly enough, I predicted that increase last year, as did every MP in Fife and MPs from a number of other constituencies, including, in particular, my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry). Why did he predict it? Because his constituency got hit by the roll-out of universal credit a couple of years ago. He saw what that did to his constituents’ ability to pay their council house rent. He warned that the same thing would happen in my constituency and elsewhere, and it still is happening. It is another symptom of a failed Government austerity obsession that counts cutting the welfare bill as being more important than improving the welfare of the population.

Last week, we saw a signal moment in the history of Scotland’s relationship with welfare benefits, when our Parliament voted unanimously to support the Social Security (Scotland) Bill on its final reading. It is all very well for Westminster to give powers and for Holyrood to use them to try to bring in a modern, caring social security system, but when a major part of the Government’s fiscal success is down to slashing welfare benefits for those who most need them, when Scotland’s resource block grant is being cut in real terms by £213 million this year and by £531 million over the next two years, and when UK Government will have cut nearly £4,000 million out of the availability of social security payments in Scotland over a 10-year period, it is clear that the powers that Holyrood should be using to create a fair society are instead having to be used to mitigate the brutal unfairness that this Government are imposing on citizens across the United Kingdom.

Some might argue that this short-term pain can be justified if it leads to longer-term economic stability, but the longer term seems to get longer and longer every year that we have this debate. The OBR’s briefing indicates that even by 2022–23, we will still have a budget deficit of around £20 billion a year. The debt will be growing by £20 billion a year—it will not be coming down—and despite the modest improvement in some aspects of the outlook over the last few months, the Government’s promise to “return the public finances to balance at the earliest possible date in the next Parliament” is not going to be delivered. It will be 10 years before the budget deficit goes away—10 years before we even start to pay off the astronomical levels of debt that we are all having to fund.

Despite the shambolic mismanagement of the business of the House over the last few weeks, the Government will get the motion through tonight, with or without a vote. No doubt the carrier pigeon is standing ready and waiting, because they have just over two and a half hours to get the results of the vote to Brussels if they do not want to miss the deadline. However, there is, of course, a much bigger and much more worrying European deadline that is approaching very quickly. That deadline was arbitrarily and completely irrationally set by the House when it voted to trigger article 50, with no idea of what that would do to the economy. I, and I suspect many MPs on both sides of the House, have a sinking feeling that when we find ourselves a few hours from that deadline, the uncertainties that characterise the OBR report that we are debating tonight and the uncertainties that, as the Opposition Front Bench, the hon. Member for Bootle (Peter Dowd) pointed out are driving investment away instead of attracting it to us—those financial uncertainties—will be even bigger on 29 March next year than they are today.
Laser Misuse (Vehicles) Bill [Lords]

Considered in Committee

[Mr Lindsay Hoyle in the Chair]

Clauses 1 to 4 ordered to stand part of the Bill.
The Deputy Speaker resumed the Chair.
Bill reported, without amendment.
Third Reading.

9.25 pm

The Parliamentary Under-Secretary of State for Transport
(Ms Nusrat Ghani): I beg to move, That the Bill be now read a Third time.

I would like to express my appreciation to right hon. and hon. Members and noble Lords in the other place for their thoughtful and constructive contributions during the passage of the Bill, including the positive engagement and support of the Opposition. I am indebted to my right hon. Friend the Member for South Holland and The Deepings (Mr Hayes) for his work in bringing forward the Bill when he was a Minister at the Department for Transport and my hon. Friend the Member for Scarborough and Whitby (Mr Goodwill) for his insightful contributions based on his experience as Aviation Minister.

As my right hon. Friend the Secretary of State said on Second Reading, we can be proud of the safety culture across our transport sector in recent years, but we cannot be complacent. Safety and security must be our top priority. That is why we introduced the Bill: to strengthen the rules against those who shine lasers at air traffic control. The offence of shining a laser at air traffic control has received widespread advice on some very technical issues.

The Bill specifically covers the risk posed by aviation pilots, but can the Minister confirm that the provisions relating to those will come forward the Bill when he was a Minister at the Department for Transport, and this Bill is for them.

I would also like to correct the record of what I said on Second Reading. This additional funding will in fact come from the Department for Business, Energy and Industrial Strategy, not the Department for Transport. I would not want to be seen as taking credit for another Department’s work, but it is an example of Departments working closely together with a shared purpose.

The Bill is now in a better shape than when it was introduced. In particular, the creation of an offence for shining a laser at air traffic control has received widespread endorsement and is one that the Government are happy to support. The Bill has been a great example of the important role Parliament has in strengthening legislation. I also thank those outside the Chamber who have lent their expertise to this important Bill. The UK Laser Working Group, chaired by Air Commodore Dai Whittingham, the Civil Aviation Authority, NATS, the Maritime and Coastguard Agency, the trade union the British Airline Pilots Association, the national police air service and many others have provided invaluable guidance for victims of laser attacks, and we will continue to monitor the issue, working with industry, the regulator and cross-Government colleagues to establish whether further steps need to be taken to tackle this unacceptable behaviour.

I am sure that the whole House would want to join me in sending condolences to my hon. Friend the Member for Kingston upon Hull East (Karl Turner). He had been leading for the Opposition on the Bill, but he has just lost his father, the distinguished Hull city councillor Ken Turner. Our thoughts and prayers are with him and his family today.

As no amendments were tabled, I shall highlight a few points in the Bill itself. It is a short Bill, consisting of two substantive and two procedural clauses. Clause 1 makes it an offence to direct or shine a laser beam towards a vehicle or a person in charge of a vehicle in such a way as to dazzle or distract the person driving, piloting, navigating or otherwise in control of the vehicle when it is moving or is ready to move. It results from an amendment tabled by Labour colleagues in the other place. There may be mitigating circumstances if it can be proved that the use of the laser was necessary in, for example, a rescue mission to attract attention of a pilot, or that the offence was committed by accident if the laser was being used professionally and all precautions had initially been taken to prevent an incident from occurring. The penalty will be imprisonment, an unlimited fine, or both. Advancing the deterrent sends a clear message that laser misuse will not be tolerated. It has also been clarified that a laser beam could be a pulsed

five years, which will give peace of mind to bus drivers, train drivers, vehicle drivers and aviation pilots, but can the Minister confirm that the second Amendment tabled by Labour colleagues in the other place. Ms Ghani: Five years is indeed the maximum sentence for a jail sentence of five years, which will give peace of mind to bus drivers, train drivers, vehicle drivers and aviation pilots, but can the Minister confirm that the maximum fine is unlimited. The Bill extends to the entire UK and will come into force in England, Wales and Scotland at the end of the period of two months beginning with the day on which the Bill is passed. In Northern Ireland, aviation and shipping are reserved, and the provisions relating to those will come into force at the same time as in the rest of the UK.

The Bill is now in a better shape than when it was introduced. In particular, the creation of an offence for shining a laser at air traffic control has received widespread endorsement and is one that the Government are happy to support. The Bill has been a great example of the important role Parliament has in strengthening legislation. I also thank those outside the Chamber who have lent their expertise to this important Bill. The UK Laser Working Group, chaired by Air Commodore Dai Whittingham, the Civil Aviation Authority, NATS, the Maritime and Coastguard Agency, the trade union the British Airline Pilots Association, the national police air service and many others have provided invaluable guidance for victims of laser attacks, and we will continue to monitor the issue, working with industry, the regulator and cross-Government colleagues to establish whether further steps need to be taken to tackle this unacceptable behaviour.

It has been clear throughout the passage of the Bill that the issue with which it deals is not politically charged or partisan. Parliament is acting collectively in the interests of the travelling public and those who work in our transport sector, and this Bill is for them.

I am sure that the whole House would want to join me in sending condolences to my hon. Friend the Member for Kingston upon Hull East (Karl Turner). He had been leading for the Opposition on the Bill, but he has just lost his father, the distinguished Hull city councillor Ken Turner. Our thoughts and prayers are with him and his family today.

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or continuous light, and it is defined in clause 3. The definition of the modes of transport to which the Bill will apply has been extended, thanks to the work of my Labour colleagues in the other place.

The Bill is an important piece of health and safety legislation to safeguard those who operate modes of transport from the effect of laser misuse. Lasers are being used to shine lights into the eyes of drivers, causing, according to the British Airline Pilots Association, four progressive stages of seriousness—distraction, disruption, disorientation and even incapacitation—which may have a sustained impact and could result in fatal consequences for the driver, passengers, the public, or a combination of those people.

The issue of laser misuse was first drawn to the attention of authorities by the aviation industry, but the Bill also covers drivers or navigators in charge of helicopters. A number of incidents have been cited, not least by police helicopter pilots. There have also been incidents involving planes, trains, ships, hovercrafts, submarines and road vehicles. The Bill’s provisions extend to bicycles, motor scooters and horse-drawn carriages, as well as air traffic control.

Labour recognised the need for legislation that would build on the Air Navigation Order 2016, and along with the aviation industry and other transport operators, our Front Benchers have welcomed the Bill. It was our suggestion that such legislation could be introduced in the Vehicle Technology and Aviation Bill. We recognised the insufficient penalties resulting from the 2016 order and the very small number of prosecutions. The Bill will act as a far greater deterrent to laser misuse throughout the transport system. At this point I should mention the collaborative and cross-party work that has been done in both Houses—not least by the right hon. Member for South Holland and The Deepings (Mr Hayes), who is not present this evening.

The other place amended the Bill to ensure that it was comprehensive in addressing the misuse of lasers, and in particular I thank Lord Tunnicliffe of Bracknell for his contribution. We are also indebted to the UK Laser Working Group, whose expertise has informed this Bill at all stages.

The Bill, while recognising the legitimate use of lasers, will ensure that those in charge of a vehicle are not put at risk, thus putting other transport users at risk, too. In the last year, there have been more than 1,000 cases, a sharp rise over a very short period of time. While that has not led to any accidents to date, in safety-critical industries we will not allow such risks to propagate, which is why we are supporting the Bill on Third Reading today.

The BALPA membership survey stated that half its pilots reported having experienced a laser attack in the last 12 months—55% of pilots, I believe—and that 15% had experienced three or more laser attacks. It is therefore heartening that external stakeholders also support the Bill, and I thank BALPA for its work in this area and all those working in transport who have advocated such legislation.

I can testify to the intensity of light from lasers, as some young people in my constituency shone a laser at me when I was out on an estate last summer. Momentarily blinded, I sought to look away, but that brief experience brought home the dangers of such laser devices, and permanent eye damage can occur if there is exposure to such light.

May I take this opportunity to thank the Clerks for their assistance through the passage of the Bill, my hon. Friends in this place and colleagues in the other place for their participation in the various stages of the Bill, and external stakeholders who have worked with us to ensure that it receives a smooth passage through its final stages?

Clearly, we are disappointed that the Prime Minister called a general election before we had the opportunity to enact the Vehicle Technology and Aviation Bill, but, a year later, I am glad that we have been able to complete the Bill’s passage in this place today. It just goes to show what can be achieved when all parties remain laser-focused on acting in the best interests of the public.

I trust that the public will recognise the importance of the Bill and that this risk across the transport sector will be deterred. There is clearly still a debate to be had about the ownership and use of laser beams, as Public Health England advises, but that will be for another Bill on another day.

I close by thanking all those who work across the transport sector for the application of their skills in keeping the public safe and ensuring that the UK has the highest of standards in transport safety.

9.37 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): As this is a Third Reading debate and there were no amendments on Report, and given that we will support the Bill, I will not speak for long. I do, however, want to put on record my condolences to the hon. Member for Kingston upon Hull East (Karl Turner).

The Minister and shadow Minister both commended the work done in the other place in getting this Bill through. It has only two substantive clauses, however, so I am not sure it merits our having 800 unelected peers in the other place—which is not to say that the Bill does not have its merits.

The Civil Aviation Authority records that more than 11,000 laser pen incidents were reported at airports over an eight-year period and a BALPA survey has confirmed that half its pilots have experienced a laser pen attack in the past 12 months and 15% have experienced at least three attacks or more, which is alarming. Legislation is clearly needed to provide a deterrent, therefore, and this Bill does that. I therefore welcome the Bill, and we should move forward and get it into legislation.

Question put and agreed to.

Bill accordingly read the Third time and passed, without amendment.
Magor with Undy Walkway Station

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

9.39 pm

Jessica Morden (Newport East) (Lab): I am delighted to have secured this debate, which gives me a great opportunity to make a positive case in the Chamber for a new walkway station to serve the communities of Magor and Undy, which lie just over the Severn bridges in my constituency of Newport East. The reason for holding this debate now is that I am mindful that the Department for Transport will start considering bids for the next new stations fund in the near future, and this is a shameless pitch to promote a unique bid. It is unique in that the community will be encouraged to walk and cycle to use the station, rather than driving to it, and it is important because the station would be located in a community in Wales with a fast-growing population.

Mrs Madeleine Moon (Bridgend) (Lab): Is it true that the community to which my hon. Friend refers to is growing because, thanks to her work on the Severn bridge tolls, more people are now moving from Bristol to enjoy the delights of living in Wales, and that they are moving into Newport—expanding the community there—and commuting to work in Bristol because housing is cheaper and education is better in Wales?

Jessica Morden: I thank my hon. Friend for her intervention. She makes a valid point. Many more people are moving from Bristol to live in our corner of Wales, which is great. Many of them then travel across the border to work in England, and that creates an urgent need for new infrastructure.

Nick Thomas-Symonds (Torfaen) (Lab): I join my hon. Friend the Member for Bridgend (Mrs Moon) in paying tribute to the work of my hon. Friend Jessica Morden on the Severn bridge tolls. Many of my constituents commute through Magor. Does my hon. Friend agree that a station there would help to manage overcrowding, because people from Magor would not have to drive to Newport to join their trains there?

Jessica Morden: That is very true, and I will expand on that point later.

Rail travel in our area is growing and growing, and we need the infrastructure to cope with that. Young people in particular need to be able to access work opportunities, not only in Newport and Cardiff, but in Bristol and also further afield. Those are two of the reasons why the campaign for this new station has so much public support.

I pay tribute to the Magor Action Group on Rail, a volunteer group that has campaigned with great energy over the past six years for a new railway station. From small beginnings, it has worked tirelessly and professionally—my constituency is blessed with a number of former railway workers and enthusiasts—to develop this idea that has caught the imagination of the local community and businesses, which the group has kept involved every step of the way. The group has won support for its campaign by organising many productive meetings with the Department for Transport, the Welsh Government, Network Rail, Railfuture, Sustrans, the Future Generations Commissioner for Wales and Transport for Wales. It has also secured the wholehearted support of the local authority, Monmouthshire County Council, and that of elected representatives of all political persuasions—not just myself, but Newport East Assembly Member John Griffiths, regional Assembly Members of different parties, the Magor with Undy Community Council and ward county councillors representing the area of Severnside as a whole.

Jim Shannon (Strangford) (DUP): The hon. Lady has outlined the importance of a reliable, working public transport system. Statistics show that 55% of rural households are within 8 km of a hospital, but does she agree that if they are without access to a network of reliable, timely public transport, the Government must look into funding better public transport links such as the one to which she refers to ensure that the general public can access such facilities?

Jessica Morden: I thank the hon. Gentleman for that intervention. It is very true that we have to connect our rural communities in a better way, and I will say a bit more about that later.

Monmouthshire County Council says: “The return of railway travel for Magor with Undy after many years will be welcomed by the community and offer many benefits. It will bring employment, retail, healthcare, education and leisure opportunities closer for residents and reduce traffic growth on congested local roads. It will significantly reduce the emission of greenhouse gases from transport and promote sustainable integrated travel.”

Indeed, one of the unique assets of the future station is that it would be one of the first community adopted walkway—rather than parkway—stations. It would be based in a central location within a 10 to 15 minute walk or cycle ride for all residents of Magor and Undy. That would tie in closely with the Welsh Government’s Active Travel (Wales) Act 2013, which encourages a cultural shift that leads people to get out of their cars where possible. It is estimated that a new station in Magor would have the potential to reduce traffic on the nearby busy B4245 by as many as 60,000 vehicles a year. The walkway concept also allows room for a multi-modal integrated approach to public transport, linking in with local bus services.

Sustrans, the charity that encourages walking and cycling, is particularly supportive of the walkway station concept. Gwyn Smith, the network development manager for south Wales, says: “Magor has a good network of paths that can easily lead to the proposed station site giving excellent opportunities for active travel. The scheme is well supported by the local community and the evidence we have seen is that it will be well used and is technically more feasible than other options. Recent transport modelling Sustrans carried out in south east Wales area clearly demonstrates that journey times from this area (using Severn Tunnel Junction and Caldicot stations) to Newport and Cardiff are significantly shorter than by car, making use of the train the preferred option for many.”

Sophie Howe, the Future Generations Commissioner for Wales, has also voiced her support for the project, which she highlights will contribute to all seven of the national wellbeing goals outlined in the Well-being of Future Generations (Wales) Act 2015. She says: “One of the goals of the Act calls on public bodies to contribute to a Wales of cohesive communities and this campaign has already highlighted what a positive asset this can be for the 6,500 people...
who live in this village in promoting, for example, local businesses, tourism and tackling loneliness and isolation. Additionally, I believe this station will contribute to creating a more resilient Wales. It’s believed that 11,000 vehicles a day use the B4245 and such a station could significantly decrease the CO2 emissions from these journeys and reduce traffic growth on congested local roads.

Nick Thomas-Symonds: Does my hon. Friend agree that such a model, which clearly involves huge environmental benefits and benefits from exercise, is something that we could consider right across Wales, especially if this project is a success?

Jessica Morden: My hon. Friend is exactly right. It is a good model for us to consider, and we could learn much from this unique project.

The Magor Action Group on Rail highlights the fact that the idea of a walkway station is obviously not new. It was the norm before the rise of the motorcar, when the local station was one of the main points of focus for the community. The group has recognised that in its development of plans for a community adopted station, integrating it with a much-needed community centre and ticket office. As group member Ted Hand said, the project is uniquely “back to the future”. The ultimate goal is for the walkway station, community centre and incorporated orchard and fields to become a community hub for social activity and public transport.

It is important to note that there is a clear historical precedent for a station serving the communities of Magor and Undy, which sit between the city of Newport and the town of Caldicot. The villages were served by two stations, Magor and Undy Halt, until 1964 when the first of the two now-infamous Beeching reports initiated their closure after around 110 years of service. At the time of closure, the villages of Magor and Undy had a combined population of around 1,000. Since then, the population has grown sixfold and, with further local housing developments on the way, the population is projected to rise to around 10,000 in the next few years. The two villages have become extremely popular with those who commute to Newport, Cardiff and Bristol—48% of residents travel out of the area to work—but there are also major employers on the doorstep, with large Tesco and Wilko distribution centres, and the AB InBev Magor brewery, drawing in workers from across the wider region.

Population growth becomes all the more significant when we consider the remarkable increase in demand for services on the Great Western mainline, which passes through Magor and Undy. Over the past 20 years, Newport station has seen a 108% increase in passenger numbers and Caldicot has seen a 111% increase. Severn Tunnel Junction, which is currently the nearest station to Magor, has experienced a staggering 297% increase in entries and exits, which is the highest growth at any station on the Great Western mainline. The Cardiff to Cheltenham line, which takes in all the stations in my constituency, also has the highest user growth of any line emanating from Cardiff.

As I have highlighted on other occasions, the railway network in this part of south-east Wales had been plagued by chronic overcrowding and unreliable services, which is one of the many reasons why we need investment in our rail infrastructure, including new stations like Magor, to adapt to modern demands. On that note, I pay tribute to the Severn Tunnel Action Group, another local rail group, which has done much to collect statistics and campaign positively for improvements in rail capacity over the years.

The Government’s industrial strategy talks about the need to back economic growth corridors between Wales and England and the need to maximise the benefits to the Bristol-Newport-Cardiff area that will arise from the abolition of the bridge tolls. That is one reason why I have relentlessly raised the need to improve cross-border rail services at Transport questions and with the Secretary of State for Wales.

A Welsh Government-commissioned report from 2012 calculated that scrapping the Severn bridge tolls “would result in an estimated increase in traffic across of 12%. This is equivalent to around 11,000 vehicles per day.”

More recent Welsh Government modelling suggests that, in the area immediately adjacent to the Severn crossings, traffic levels could increase by around 20%, which clearly emphasises the need to get more people on to rail to reduce congestion. Much better rail services are needed.

The costs associated with building a new station are relatively modest. A new footbridge is already in place; the signalling arrangements would not need to be changed; an existing subway could be upgraded to become DDA compliant; and the track layout—switching or slewing—would not need to be altered. In any case, the estimated building costs, around £7 million, are more than offset by the excellent predicted return on investment, a high 2. Meanwhile, as the platforms would be on key relief lines, key inter-city services, including those between London Paddington and Swansea, would not be affected in any way.

Since 2012, the Magor Action Group and Monmouthshire County Council have made huge strides towards securing this new station for the community, getting the funding they need to progress through the eight-stage mandatory “governance for railway investment projects” process. The GRIP 1 and GRIP 2 studies were completed by April 2016, and an application was made to the UK Government’s new station fund later that year. Although the bid was unsuccessful on that occasion, the group was offered a subsequent meeting with officials from the Department for Transport later in the year. The group was encouraged to resubmit as soon as it had completed GRIP 3.

Very positive news then followed, with Welsh Government Minister Ken Skates announcing that the Welsh Government would fund Monmouthshire County Council to complete GRIP 3. Good progress is being made on GRIP 3, and I understand that the second part of the options report is nearing completion.

The economic and operational viability of the proposed station is looking increasingly sound, and with continued support from the Welsh Government and further support from the Department for Transport, and with funding, the Magor Action Group is confident that a new station could be opened by the end of 2021. That would mean Magor station, alongside a new station at Llanwern, could form an important part of the South Wales metro project being developed by the Welsh Government, which is a key step towards a truly integrated transport network for our region.
Can the Department for Transport provide further support to the proposal for a new station, building on the very positive meeting between DFT officials and the Magor Action Group in November? Will the Minister meet the group to discuss its plans in more detail? I would also be grateful if he confirmed whether the group can apply to the new stations fund as soon as the GRIP 3 study is completed, regardless of whether the third round of the new stations fund has opened. The group has heard positive noises, and it would be good to get that on the record.

I again thank the group, including long-time members Ted Hand, Paul Turner, Laurence Hando, Phil Inskip, Councillor Frances Taylor—the councillor for Magor—Julie Wilson, Peter Wilson, Steve Lucas, Murray Ross and more, for all the work they have undertaken over the years. I emphasise to the Minister that I share their enthusiasm for their project. This is a group of very positive, creative and enthusiastic people, and it is a great pleasure to work with them as their constituency MP.

As group member Paul Turner has rightly said to me, the walkway station and potential community hub can “help reduce traffic pollution, improve road safety, provide better access to public transport and places of employment, attract visitors into the community and improve social cohesion and wellbeing in the villages for current and future generations.”

One of the most encouraging parts of the campaign is the way the group has engaged with the two local schools, Undy and Magor, to talk to pupils about the need for a new station. With that in mind, I finish with a quote from the pupils of Magor Church in Wales Primary School, who wrote a letter to the previous Prime Minister in support of a new station for the village. They said:

“Magor is such a stable, peaceful area and it needs to stay that way. Gorgeous areas like ours are quickly disappearing and ours cannot. A station at Magor would reduce car fumes which are harming the environment so please help us get a station.”

With that in mind, I would be grateful if the Minister gave this project his attention and had a close look, met the group and offered his support.

9.54 pm

The Minister of State, Department for Transport (Joseph Johnson): Let me start by congratulating the hon. Member for Newport East (Jessica Morden) on securing this important debate about the proposed Magor with Undy walkway new station and on highlighting the good work done locally in her constituency to take this project forward. We understand how important stations are to passengers, but as well as providing access points to the network, they are often important to the wider community, especially in rural areas. We are therefore committed to providing funding to improve stations and provide new ones. For example, each franchise has funding set aside for station improvements, and we have continued the Access for All programme to improve disabled access to stations. As Members are no doubt aware, we have also run two funding competitions for our new stations fund and we have been able to make funding available to support the building or reopening of five new stations. Four of those are already complete, including Pye Corner in south Wales, and a fifth, Kenilworth, began running services this morning—this is the first time the town has had a rail service for more than 50 years.

Magor and Undy’s was one of the 19 bids we received in 2016 for the latest—the second—round of new stations funding. As the hon. Lady said, the proposal was for a new, accessible, two-platform station to the east of Newport, between the Newport and Severn Tunnel Junction stations. The proposal was to run three trains every two hours in each direction. The project was promoted by the Magor Action Group On Rail—MAGOR—and Monmouthshire County Council. I understand it also had support from the Welsh Assembly Government. The bid met the initial qualifying criteria and we felt there was a good strategic case for the station, connecting a growing residential area to the rail network. The site is also in an area where the population is expanding rapidly and, clearly, a new station would bring employment, retail, healthcare, education and leisure opportunities closer for residents and would reduce traffic growth on congested local roads.

However, we felt that the bid needed some further development work before we could support it. No analysis of the financial business case could be carried out and we felt that the timetabling impact of the new station needed further modelling. Last year, as the hon. Lady said, officials from the Department met MAGOR, the county council and Network Rail to give feedback on the bid and to suggest how it could be progressed. Like her, I have been told that this was a very positive meeting, and my team were impressed with the knowledge and commitment of the promoters. I know from the MAGOR website that the development work is continuing, and I look forward to seeing a more developed proposal in the future.

As for how the project can be taken forward and funded, hon. Members will no doubt be aware that the Government recently announced that they would be taking a new approach to enhancements going forward. The rail network enhancements pipeline sets out further information on the new approach the Government are taking to enhance the railway across England and Wales. This establishes a pipeline that moves the investment in rail enhancements away from a rigid five-year cycle, creating instead a rolling programme of investment, focused on the outcomes that deliver real benefits to passengers, freight users and the economy.

Through the rail network enhancement pipeline, the Government are committed to considering the regional spread of the overall portfolio of investments when making decisions about individual enhancements, making use of the Department for Transport’s rebalancing toolkit, where appropriate. However, we recognise that in the Department we do not have a monopoly on good ideas, which is why we have recently announced a call for ideas for rail improvements. We would welcome proposals from the hon. Lady and from her constituents that are financially credible without Government support, including for stations.

The rail network enhancement pipeline makes it clear that the Government’s focus for investment will be on the outcomes that make a real difference to rail users, rather than on the specific infrastructure, rolling stock or technology interventions to achieve that. I note and welcome the fact that the Welsh Government and taking a similar passenger-benefits-focused approach to procurement for the south Wales metro and the decisions on the appropriate technologies for delivery.
The Department will continue to liaise closely with the Welsh Government on the development of enhancement options for England and Wales, to ensure that Welsh requirements for increased capacity on the network are fully reflected. I hope that the hon. Lady and other Members have been reassured that the Government remain committed to investment that will improve rail services and passenger experience in Wales.

Question put and agreed to.

10 pm

House adjourned.
new technologies, there are new challenges for regulators to review, hence the Green Paper, because with the rise of markets work for those sorts of consumers?

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The industrial strategy makes it clear that a competitive UK economy in which firms compete on price, service and innovation is one that serves consumers best. Our recently published Green Paper, “Modernising Consumer Markets”, sets out proposals to ensure that consumers benefit from new technologies and, in particular, that consumers’ data must be used to benefit them and not to act unfairly against them.

Greg Clark: It is important that providers of services take into account the struggles of people suffering from mental ill health or dementia. Will my right hon. Friend enlarge on what he is doing to ensure that markets work for consumers, it is important that providers of services such like.

Edward Argar: I welcome that response. In ensuring that markets work for consumers, it is important that they work for vulnerable consumers, including those with mental health issues or dementia. Will my right hon. Friend enlarge on what he is doing to ensure that the markets work for those sorts of consumers?

Mr Barry Sheerman (Huddersfield) (Lab): Will the Secretary of State come down from the clouds? He must say. Part of our commitment is to make sure that we have a free trade agreement with the rest of the European Union that allows us to continue to serve markets right across Europe and the world. If the hon. Gentleman looks at the success of employment, including in his constituency in recent months, he will see that companies are employing people at rates not seen for many years.

Small Business Sector

Ben Bradley (Mansfield) (Con): What steps he is taking to support growth in the small business sector.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): The British Business Bank supports over £4 billion of finance to over 65,000 small businesses. The start-up loans programme has further delivered more than 54,000 loans, totalling over £400 million. We are tackling late payments through the Small Business Commissioner, and 38 growth hubs across England provide access to information and advice. Through the industrial strategy we plan to unlock over £20 billion of investment in high-potential businesses, including through establishing a £2.5 billion investment fund.

Ben Bradley: I thank the Minister for his response. As in many parts of the country, Mansfield has struggled to support shops and other town centre businesses. Will he explain what action the Government are taking to support such businesses and to regenerate what were formerly bustling town centres?
Andrew Griffiths: I recognise the work that my hon. Friend has done to support businesses in his constituency. The Government have made 100% small business rate relief permanent while increasing the threshold of the relief, taking 600,000 of the smallest businesses out of business rates. We have introduced the employment allowance, giving employers up to £3,000 off their national insurance contribution, and we have established the Future High Streets Forum to provide businesses with Government leadership to better enable our town centres to grow.

Melanie Onn (Great Grimsby) (Lab): I visited recently the food manufacturer Scratch in my constituency, which is just launching a new dough-free pizza. It has taken on an additional 25 members of staff and has asked if more could be done to support it, particularly around reducing its business rates, which would go a long way to supporting it and the local high street.

Andrew Griffiths: I recognise the hon. Lady’s point. It is good to see that kind of investment and growth in small businesses. We are investing in apprenticeships and skills—44% of apprenticeship participation is in small companies—and, as part of our industrial strategy, we are establishing a technical education system that rivals the best in the world. We are also investing £406 million in subjects such as maths and digital and technical education to support the kind of small businesses she talks about.

Helen Whately (Faversham and Mid Kent) (Con): Microbusinesses have told me that they are struggling to get their voice heard—for instance, on their concerns about implementing data protection legislation and the implications of Brexit. What is my hon. Friend doing to make sure he hears and understands the concerns of microbusinesses?

Andrew Griffiths: Every week, the Secretary of State meets representatives of the business community from across the country, and I hold a forum with small businesses once a month to ensure that the Government are finely attuned to their needs. The Department is determined not only to understand the issues facing small businesses in our country, such as those my hon. Friend raises, but to ensure that legislation is fit for purpose.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The all-party group on disability, which I chair, has published an inquiry report highlighting the fantastic contribution of entrepreneurs with disabilities, but they still face many challenges, such as in accessing finance. Will the Secretary of State meet the all-party group to discuss this issue and ensure a truly inclusive economy?

Andrew Griffiths: I thank the hon. Lady for the question and the great work the all-party group does. I absolutely recognise that encouraging people with disabilities to start their own businesses and contribute in this way is good not only for the British economy but for them. I would be delighted to meet her to discuss the matter further and to see what we can do to support those businesses, particularly through things such as the British Business Bank.

Bill Esterson (Sefton Central) (Lab): Project bank accounts ring-fence the money for suppliers in construction contracts yet were not used by the Government with Carillion. As a result, 30,000 mostly smaller businesses are likely to lose money, and some will struggle to survive, so will the Minister confirm that the Government will now use project bank accounts to protect businesses and jobs in their own supply chain and guarantee there is no repeat of the Carillion fiasco?

Andrew Griffiths: The hon. Gentleman will know that the Government took swift action, led by the Secretary of State, when Carillion collapsed, to ensure we understood the issues relating to the construction industry, including by setting up a forum with trade representatives. He will also be aware that we consulted on project bank accounts in the construction industry. That consultation finished just a few weeks ago. We are considering the responses and will respond shortly.

Non-UK EU Nationals: Small Businesses

3. Stephen Gethins (North East Fife) (SNP): What estimate has he made of the number of non-UK EU nationals who work for small businesses.

7. David Linden (Glasgow East) (SNP): What estimate has he made of the number of non-UK EU nationals who work for small businesses.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): Non-UK EU nationals account for 7% of total UK employment. Scottish businesses have had the opportunity to feed into the Migration Advisory Committee’s analysis of the role of EU nationals in the UK. We appreciate the strong contribution that EU nationals make to small and large businesses, and we have already agreed to protect the rights of EU citizens in the UK under our withdrawal agreement with the EU.

Stephen Gethins: In my constituency, fruit and veg producers and the tourism industry rely heavily on EU seasonal workers. Does the Minister recognise the damage that continued uncertainty is doing to those businesses?

Two years on from the referendum, when will they get a bit more certainty so that we can maintain those EU seasonal workers who contribute so much to our economy?

Andrew Griffiths: I can reassure the hon. Gentleman that there should not be uncertainty. We have made it clear that we do not regard the referendum result as a vote to pull up the drawbridge. The United Kingdom will remain an open and tolerant country which recognises the valuable contribution that migrants make, and welcomes those with the skills and expertise that will make our society even better. The Government commissioned the Migration Advisory Committee to report on EU patterns of migration in different sectors and different parts of the UK, and it will do so by September 2018.

David Linden: Analysis shows that EU citizens contribute £4 billion a year to the economy in Scotland. We see that happening in small businesses along Shettleston Road, for example. Does the Minister agree that the devastating effect of free-movement restrictions will have a colossal impact on small businesses in Shettleston.
and in Scotland as a whole, and will he support the calls from the Scottish Trades Union Congress for immigration to be devolved to Scotland?

Andrew Griffiths: Our position on immigration policy and who should be responsible for it is clear, and has not changed. Since the referendum we have been engaging widely with, among others, the devolved Administrations and businesses in Scotland to ensure that we fully understand the requirements, but let me make it absolutely clear that the Government understand the issues of businesses and will ensure that the system works for them.

Mr Nigel Evans (Ribble Valley) (Con): My hon. Friend is no stranger to the Ribble Valley. He knows that it is a jewel in the crown for the hospitality trade, which employs a great many EU citizens. Does he agree that post-Brexit there will still be many opportunities for people in the EU to come to the United Kingdom and work in the hospitality trade?

Andrew Griffiths: I can report that I have experienced the hospitality in the Swan with Two Necks, and I recommend it to the House.

As my hon. Friend will know, the Migration Advisory Committee is looking at exactly the issue that he has raised, but he is absolutely right: EU migrants play a massive role in our hospitality industry, and the hospitality industry is one of the reasons people visit this country.

Kirstene Hair (Angus) (Con): Does my hon. Friend agree that Brexit provides a welcome opportunity for us to attract talent to our shores from all countries, not just those in the EU, and can he assure me that the Government remain committed to ensuring that all businesses have the access to the workforce from overseas that they need?

Andrew Griffiths: Absolutely. We have a competitive workforce here. The economy is thriving, partly because of the contribution made by the people to whom my hon. Friend has referred. I particularly commend her for the work that she has done in relation to the soft fruit seasonal workers scheme.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): The Federation of Small Businesses says that the right of EU staff to remain in the UK is vital. In Scotland, 45% of tourism and leisure businesses rely on EU staff for their workforce. They fear that they will not be able to recruit for their future needs, and their fear is heightened by the possibility that the immigration skills charge—which is currently up to £1,000 a year—will be applied. Can the Minister categorically assure employers that they will not be subjected to any charge for EU workers post-Brexit?

Andrew Griffiths: We will set out in due course the system and the scheme that will operate post-Brexit. I can, however, assure the hon. Gentleman that I regularly meet representatives of the Federation of Small Businesses, and we will ensure that the workforce is there for those businesses.

Drew Hendry: The Scottish Affairs Committee, the Home Affairs Committee in its report, and the Economics Committee in the House of Lords all see the sense of a differentiated immigration system for Scotland. Can the Minister confirm that he, too, accepts that there is a clear case for a policy that recognises the different needs of businesses in Scotland?

Andrew Griffiths: This Government well understands the needs of businesses both throughout the UK and specifically in Scotland. As the hon. Gentleman will know, the Home Office will shortly present further details of the scheme that is to be introduced.

Good Work Plan

4. Daniel Zeichner (Cambridge) (Lab): What progress he has made on implementing the good work plan.

5. Justin Madders (Ellesmere Port and Neston) (Lab): What progress he has made on implementing the good work plan.

24. Frank Field (Birkenhead) (Lab): What progress his Department has made on implementing the recommendations of the Taylor review of modern working practices.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): We are proceeding with work on 52 of the 53 review recommendations made by Matthew Taylor, and we are currently engaged in consultations on how best to implement those measures. We are committed to ensuring that we protect and enhance workers’ rights in the modern economy, and to legislating for that purpose. We will ensure that employment law and practices keep pace with modern ways of working, while striking the right balance between flexibility and worker protection.

Daniel Zeichner: The Minister may be aware that workers at McDonalds are taking strike action in Cambridge today. One of them, Sheila, told the *Cambridge News* at the weekend that although she has worked for 18 years, her work is insecure, she never knows what hours she will work, and fresh fruit and vegetables are luxuries. What has the good work plan to offer Sheila?

Andrew Griffiths: Matthew Taylor set out in the good work plan how we can further enhance the protections for workers such as Sheila. There is a huge amount of day-one protections, and we are looking at what we can do with flexible working and zero-hours contracts to give greater certainty and security to workers exactly like Sheila.

Justin Madders: The Government response to the Select Committee report on a modern employment framework stated:

“The Government wholeheartedly agrees that strong action should be taken against employers who repeatedly ignore both their responsibilities and the decisions of employment tribunals.”

Those are fine words, but if they are to be meaningful the Government must back them up with action and put in place rules to prevent or deter repeat offenders from bidding for public sector contracts; will they do that?

Andrew Griffiths: The Government recognise that unfortunately some employers continue to offend repeatedly in this way. We are looking at what further measures we can take in the work plan, and more widely in the work
of the Department for Business, Energy and Industrial Strategy, to ensure that such repeat offenders are clamped down on.

Frank Field: Given the work that the Business, Energy and Industrial Strategy Committee and the Work and Pensions Committee have done on the gig economy, will the Government undertake to ensure that, when they introduce a Bill based on the Taylor report, we will have a chance to stage pre-legislative hearings?

Andrew Griffiths: We have worked closely with the right hon. Gentleman’s Select Committee, and, as he knows, we greatly value his contribution. We are consulting on the work of Matthew Taylor, and I pledge to the right hon. Gentleman today that we will work hand in hand with his Committee to ensure that it properly scrutinises that proposed legislation as it comes forward.

Mark Pawsey (Rugby) (Con): The world of work is changing as businesses respond to changes in customer demands. Does the Minister agree that many workers enjoy and appreciate the flexibility of the freedom to choose when they wish to work?

Andrew Griffiths: My hon. Friend is absolutely right. New technologies have provided a huge number of new and exciting work opportunities for people, but we also want to ensure that we not only enhance and capture that potential, but offer protections for those working in the gig economy, to make sure they are not disadvantaged.

Jaguar Land Rover

8. Marsha de Cordova (Battersea) (Lab): What steps his Department is taking to support employees of Jaguar Land Rover facing job losses.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): This is a concerning time for workers at the JLR factory and in the wider supply chain, particularly the 1,000 or so temporary workers involved, but I can assure the House that I speak to the company regularly; in fact, I met JLR’s managing director Jeremy Hicks on 17 April, the day after the announcement. The Government, including my Department and the Department for Work and Pensions, are ready to support those affected, and it is important to recognise that, despite this announcement, the UK automotive industry remains a great success story, in particular JLR.

Marsha de Cordova: Following the announcement of these 1,000 job losses at JLR, the Government were urged to work with the unions and assist the workforce in whatever way necessary. What meetings has the Minister had with the unions about these job losses?

Richard Harrington: I have not met with the unions specifically on these job losses, because they have not asked for a meeting. [Interruption.] The hon. Lady asks why, but I would be delighted to meet them. I hope Members on both sides of the House realise that my door is always open to trade unions—indeed, the steel industry in particular would accept that—and I am pleased to meet anyone the hon. Lady suggests, with her, to discuss the automotive industry.

Richard Harrington: I have a lot of respect for the hon. Gentleman, but in this case he is ignoring the fact that my Department and the Department for Transport speak regularly with all the car manufacturers about the evolution from diesel and the internal combustion engine to what will be a brilliant industry for Jaguar Land Rover and all the other companies, involving the eventual production, by 2040, of pollution-free cars.

Jeremy Quin (Horsham) (Con): The Minister is right to say that, taken as a whole, the auto sector is a great employment success story. Does he agree that under both Governments, his and ours, the renaissance of the British motor industry has been outstanding and that JLR has been a big part of that, to the benefit of the country and particularly of the west midlands? However, the car market is being heavily hit by the Government’s ill-thought-out and ill-prepared war on diesel. Will his Department have urgent talks with the Department for Transport so that we can get our policy for the motor industry and the car market back on track?

Richard Harrington: My hon. Friend the Member for Lichfield (Michael Fabricant) makes a good point—although, unusually, on this occasion he did not mention the John Lewis Partnership. Our Faraday battery challenge, which he indirectly refers to, will ensure that this country is at the forefront of battery technology, and JLR and other companies are firmly behind it.

Mr Speaker: The hon. Member for Lichfield (Michael Fabricant) applied a self-denying ordinance, which is not a common feature of our proceedings, but colleagues will have noticed that there is a lot of chuntering from a sedentary position from the hon. Member for Huddersfield (Mr Sheerman) about castles and the importance of being plugged in. He should fear not; we have not forgotten him, and nor will we.

Richard Harrington: I have now had a meeting with the unions. I urge the Minister to look at what he can do to help ensure that JLR and the other companies involved have a long-term vision for the future of the car industry and the automotive sector.

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Claire Perry: There are already 14,000 people working in well-paid jobs across our coastal communities in support of this vital sector. My hon. Friend will be pleased to know that we are leaders in both the quantity of offshore wind installed and innovation, and it was great that GE announced last week that the world’s biggest offshore wind turbine will be tested in the UK.

Sir Henry Bellingham: The Minister will be aware that an offshore wind revolution is taking place along the Norfolk coast and, as she mentioned, there is scope for the creation of many jobs. Will she join my campaign to set up an offshore wind energy academy at the Construction Industry Training Board’s Bircham Newton site in west Norfolk to further enhance such skills and to create a centre of excellence?

Claire Perry: Joining the skills that we already have in one sector with those in another is an excellent suggestion, and I will be delighted to meet my hon. Friend to discuss it.

Barry Gardiner (Brent North) (Lab): Offshore wind is an integral part of the clean growth strategy, which the Government have submitted to the United Nations as their official mid-century decarbonisation plan. However, the independent Committee on Climate Change says that the strategy will fail to meet even our existing targets for 2030. Will the Minister tell us when “mid-century” shifted forward 20 years? Why do the Government think a plan that fails even to deliver a 57% reduction in emissions by 2030 is appropriate to meet the much tougher reduction of a more than 80% reduction by 2050?

Claire Perry: Once again, I am amazed at the hon. Gentleman’s ability to turn one of the great success stories of this country—in fact, he wrote an article about this last week that was so poor that he did not even retweet it. The point is that we have—[Interruption.] If he stopped chuntering, perhaps he might learn something. He is most impolite. We have led the world in decarbonising our economy. As the hon. Gentleman knows, we were the first country in the world to set up statutory carbon budgets, and we are on track to meet the first three, as well as to get close to the budgets, based on current policies and proposals, in 10 and 15 years’ time. He will also know that we are the first developed nation to have said that we want to understand how we will get to a zero-carbon economy in 2050, and my request to the committee—[Interruption.] He is doing it again, Mr Speaker; his mother would be horrified by this level of discourtesy. We were the first country in the world to ask how we will get to a zero-carbon economy in 2050, and my request to the committee—[Interruption.] He is doing it again, Mr Speaker; his mother would be horrified by this level of discourtesy.

Mr Speaker: I do not want to quibble with the Minister, but I do not think that the hon. Member for Brent North (Barry Gardiner) ever indulges in anything quite so vulgar as sedentary chuntering. He is occasionally given to facial expressions, which are not prohibited by the Standing Orders of the House, and he has a penchant for what might be described as the feline purr.

Antoinette Sandbach (Eddisbury) (Con): Will the Minister join me in congratulating the Bibby Line Group on the £80 million that it has invested in two ships to service our offshore wind turbines.
**Creative Industries Sector Deal**

10. **Mrs Pauline Latham** (Mid Derbyshire) (Con): What assessment he has made of the effectiveness of the creative industries sector deal.

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington):** I congratulate you, Mr Speaker, on your ruling that chuntering is not in fact a form of chuntering. I am sure that hon. Members on both sides of the House will be delighted to take that into account in future.

As for the creative industries sector deal, Sir Peter Bazalgette’s review forecast that the creative industry deal will increase exports, sustain growth, boost jobs and narrow the productivity gap between the south-east and the rest of the UK. The deal launched only on 28 March, so it is in its early stages, but I will be carefully monitoring it and working with the industry to ensure that the deal delivers the expected benefits.

**Mrs Latham:** How can the creative industry sector deal benefit local economies and communities across the country, particularly in Mid Derbyshire?

**Richard Harrington:** My hon. Friend is always talking about Mid Derbyshire and how the University of Derby supports the creative industries sector. She has told me about Mr Paul Cummins, a very creative chap who was responsible for the Tower of London poppies, which went all over the world. The creative industries sector has a £2.5 million regional development fund, managed through a strategic action plan, which is exactly what my hon. Friend is talking about. Her local enterprise partnership is involved, and the university is working with businesses in the area, including small and medium-sized enterprises in the creative and digital industries, to aid local job creation in areas such as Cromford Mills in her constituency.

**Ian C. Lucas** (Wrexham) (Lab): I commend to the Minister the excellent article by one of our finest musicians, Howard Goodall, who is not from Wrexham but is very creative and is working with businesses in the area, including small and medium-sized enterprises in the creative and digital industries, to aid local job creation in areas such as Cromford Mills in her constituency.

**Richard Harrington:** I am sure that Howard Goodall will be delighted to visit Wrexham after he has been to Watford. I am sure the point about being able to work and live in the European Union will be taken into consideration in the negotiations ahead, and I would not like the European Union, after we leave, to be deprived of a man with such talent.

**Agri-tech Sector**

11. **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): What steps the Government are taking to support the growth of the agri-tech sector.

**Mr Gyimah:** The transforming food production investment combines UK academic and industrial strengths, taking a whole system approach, to integrate world-leading research, advanced technologies and farming practices. It will support the development and deployment of precision agricultural technologies and solutions.

**Colin Clark** (Gordon) (Con): What steps the Government are taking to support the growth of the agri-tech sector.

**The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah):** The £160 million agri-tech strategy, which was launched five years ago, has proved a success. We are building on that strong track record through our industrial strategy, including a further £90 million of funding announced in February to bring the UK’s world-class agri-food sector together with expertise in robotics, artificial intelligence and data science. This will make it easier for farmers and agricultural supply chains to embrace new technology, enhancing their competitiveness and improving productivity.

**Daniel Kawczynski:** My hon. Friend will know the importance of the agri-tech sector to the county of Shropshire. Can he give more details of how the transforming food production challenge will support our agri-tech sector in Shropshire?

**Mr Gyimah:** The transforming food production investment combines UK academic and industrial strengths, taking a whole system approach, to integrate world-leading research, advanced technologies and farming practices. It will support the development and deployment of precision agricultural technologies and solutions.

**Colin Clark:** The campus of Scotland’s Rural College in Gordon and local agri-food business Harbro are playing a key role in agri-tech. Does the Minister agree that continued funding for agri-tech, and the resulting big data, is essential to developing opportunities for global Britain?

**Mr Gyimah:** I completely agree with my hon. Friend. We recognise the excellent contribution that Scotland’s Rural College and Harbro have made to developing agri-tech through partnering with the centres for agricultural innovation, where they are aiding the adoption of data-driven products. As I have said, we are investing £90 million in the transforming food production challenge, which will really help the UK to capture significant global challenge.

**Toby Perkins** (Chesterfield) (Lab): The agri-tech sector has tremendous potential in this country, but if we are to get all the manufacturing jobs out of it, as well as the innovation, we need to do something about the most expensive corporate property tax in the entire EU. Will the Minister tell us whether the Government are still sticking to their manifesto commitment to have a wholesale review of the business rates system, so we can have a competitive system for the agri-tech sector?

**Mr Gyimah:** The hon. Gentleman will be aware that, in the Budget, the Chancellor announced that he will be bringing forward proposals on that manifesto commitment in due course.
Mr Gyimah: The hon. Gentleman makes a very important point, and one that we will follow up with detailed statistics.

Swansea Bay Tidal Lagoon

12. Angela Smith (Penistone and Stocksbridge) (Lab): What assessment has his Department made of the value of the industrial opportunity presented by the Swansea bay tidal lagoon.

Claire Perry: The hon. Lady, as always, speaks up powerfully for her constituency. I assure her that exactly those assessments are being made, both by ourselves and by the Welsh Government, to whom there have been very specific requests from the developer. It is right that we are having a cordial, open-book conversation about what commitments are actually being asked for, because this all comes back to UK consumers and/or UK taxpayers.

Dr Alan Whitehead (Southampton, Test) (Lab): The Minister mentions that the Welsh Government have committed, in January, to provide substantial equity and loan investment to get the Swansea tidal lagoon project off the ground. Indeed, they are anxious to explore with the UK Government how this might be incorporated into an overall support package for the lagoon. Over and above contacts between officials of the two Governments, what meetings has she or other Ministers in the Department held with Ministers in the Welsh Government to examine and progress this offer?

Claire Perry: The hon. Gentleman is right to say that these conversations have to happen jointly. There have been numerous meetings between my officials and officials in the Welsh Government, and I have met the Welsh Environment Secretary and her special advisers to discuss this and many other issues.

Carillion

14. Eleanor Smith (Wolverhampton South West) (Lab): What steps he is taking to support businesses affected by the liquidation of Carillion.

Andrew Griffiths: The Government recognise that there will be an impact on the supply chain and on lots of small businesses that supplied Carillion. That is why we acted quickly to ensure that the banks were aware of those situations and the pressures that would be put on those businesses, to make sure the support was in place, with access to loans and finance, to ensure that we limit the impact as much as is possible. The hon. Lady will know that, so far, 11,450 jobs have been protected in the Carillion network, and we are doing more to ensure that we protect the rest.

John Cryer (Leyton and Wanstead) (Lab): The Minister will be aware that Carillion regularly contravened the prompt payment code without actually acting illegally. Is it not time to examine the possibility of giving the code a statutory basis, so that in future cases there could be prosecutions?

Andrew Griffiths: The hon. Gentleman makes a very valid point. We want the prompt payment code to be fit for purpose and for it to do what it says on the tin. That is why I am in discussions on the prompt payment code and why the Chancellor said in the spring statement that we would consult on late payments. He wanted to end the scourge of late payments, because this is so important for small businesses up and down the country.
deal and cannot afford to wait for the Competition and Markets Authority’s partial market study to report. For their sake, I urge the Minister to give serious consideration to introducing statutory regulation now. Will she meet me to discuss the issue?

Claire Perry: I am always happy to meet the hon. Gentleman, as he knows. It is interesting, because on average consumers are paying less and have the same level of satisfaction as they have with other heating options. Well designed and well regulated frameworks can really deliver a benefit for consumers, which is why we are investing more than £300 million, but the hon. Gentleman and I should get together to discuss his constituents’ particular concerns.

Rebecca Pow (Taunton Deane) (Con) rose—

Mr Speaker: Forgive me, but I want to get to other colleagues’ questions as well, so if it is a short sentence, I will take it, but if it is not, I will not. No? All right.

Sir Edward Davey (Kingston and Surbiton) (LD): Will the Minister tell us why it has taken so long to disburse some of the £320 million fund for district heating schemes? So many local authorities and other bodies want to apply for funding, but the Government are being slow in disbursing the money.

Claire Perry: I am not sure I agree with that, partly because we have to get this right and make sure that there is a competitive market and that consumers do not feel that these things are being imposed on them. We should celebrate the fact that we have £300 million to take these pilots forward. Pilot projects are under way in Manchester, Sheffield and Barking, and I look forward to funding many more.

Employee-owned Companies

16. John Grogan (Keighley) (Lab): What steps he is taking to encourage the growth of employee-owned companies.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I should declare that I worked for the John Lewis Partnership for three years, from 1979 to 1982, and was therefore a beneficial owner of part of the company. That is not the only model to encourage employees, of course; share ownership is developing more widely as part of generally non-employee-owned companies. I look forward to the private sector making the business case for this model through the Employee Ownership Association, which is the representative body for employee-owned businesses.

John Grogan: Does the Minister agree that, taken as a sector, the UK’s 300 employee-owned businesses have higher than average productivity? Will he follow the example of the Scottish and Welsh Governments and more actively promote the sector, particularly to small and medium-sized businesses that are looking for a succession plan?

Richard Harrington: That is very interesting. I will look with care at what is happening in Scotland and Wales. We are generally in favour of employee-owned companies and companies with employees who have a share in them.

Retail Sector

18. Liz Twist (Blaydon) (Lab): What steps he is taking to support the retail sector.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): The retail sector is a vital part of the UK economy and we want it to thrive. In March, as part of our industrial strategy, I created the Retail Sector Council. Through that group, Government and industry will work together to contribute to the sector’s future direction, to boost its productivity and economic health.

Liz Twist: The retail sector is hugely important to my constituency, from the Metrocentre through to the small fruit and veg shops on the high street. Given that the retail sector is the UK’s largest industry, will the Minister explain the rationale behind the Government’s decision to do so little for the sector in the industrial strategy?

Andrew Griffiths: The hon. Lady just is not correct. The Government recognise the importance of the high street and the retail sector, which is why we have provided more than £18 million in dedicated funding. It is also why in the 2017 autumn Budget we announced measures worth £2.3 billion over five years to cut business rates and improve the system’s fairness, which will support the retail sector.

Paris Climate Change Agreement

19. Geraint Davies (Swansea West) (Lab) (Co-op): What steps he is taking to ensure that investment in renewable energy contributes to the achievement of the 1.5°C global warming limit set out in the Paris climate change agreement.

Claire Perry: The hon. Gentleman will know that investment in renewable energy is vital so that we can get towards our interim targets, as well as the 1.5°C target. With a combination of the binding statutory budgets, the investments we have made and some good policy design, we are cranking ahead with renewables. More than 30% of our energy came from renewables last year, and I am sure we will all celebrate the fact that just in the past month we went for 77 hours without coal contributing to our grid.

Geraint Davies: Satellite data shows that 5% of the methane produced by fracking is leaked through fugitive emissions. Given that methane is 86 times more powerful than carbon dioxide in global warming terms, that makes fracking twice as bad for climate change as coal. Will the Minister commit not to proceed with fracking and to proceed with the Swansea bay tidal lagoon project to deliver on climate change?

Claire Perry: I think the hon. Gentleman has seen some of the same slides that I have seen, which show a hypothetical model put forward by some scientists. We are of course always concerned about fugitive methane emissions, and we will bear that in mind going forward.

Sammy Wilson (East Antrim) (DUP): Germany, France, India and China are building coal-fired power stations by the hundreds while we are relying on more and more expensive sources of energy. Does the Minister not
recognise the damage done to our economy by pursuing means of expensive energy while turning her back on cheap energy? Does she really believe that erecting a few windmills will affect the world’s climate, which is determined by the sun and by natural forces beyond the control of man?

Claire Perry: It is always good to listen to the right hon. Gentleman on this point. We could debate the science, but the truth is that we and 57 other countries, states and cities around the world have committed to phase out coal, because it is the most polluting fossil fuel. We do not need it, because we have a big investment in renewables and we have clean gas as part of our energy mix, which we must maintain going forward.

Mr Speaker: We are running late, but I am very keen to hear the voices of Harlow and of Washington and Sunderland West. We will begin with Harlow—I call Mr Robert Halfon.

Public-private Partnerships

21. Robert Halfon (Harlow) (Con): What plans his Department has to develop innovative projects through public-private partnerships.

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): The Department has no current plans to develop projects through public-private partnerships. There are a number of areas where the Department for Business, Energy and Industrial Strategy co-funds projects with businesses, including in the areas of innovation and skills.

Robert Halfon: Does my hon. Friend not agree that the public-private partnership between Harlow College and Stansted airport in building a skills academy is exactly the kind of public-private partnership that we should be following? Harlow will now be the skills capital of the east of England. Will he use the Harlow example for the rest of the country?

Mr Gyimah: My right hon. Friend is right: Harlow often leads the way in a number of areas, and I wish to congratulate him on the opening of the Stansted Airport College. The new apprenticeships build on the 1.3 million apprenticeship starts since May 2015.

Automotive Industry: Cleaner Fuels

25. Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): What steps he is taking to support the automotive sector to move from diesel to cleaner fuels.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): We are investing nearly £1.5 billion between April 2015 and March 2021 to grow the market for ultra-low emission vehicles. That is one of the most comprehensive programmes of support globally.

Mrs Hodgson: Two weeks ago, Nissan in my constituency announced job losses, which were more than likely owing to a decline in diesel sales and the switch in production to newer, cleaner models. Therefore, notwithstanding what the Minister said, can he give us some details on what he is doing to support the automotive sector in moving from diesel to cleaner fuels?

Richard Harrington: The hon. Lady will know that Nissan is one of the biggest investors in cleaner technology, and through the industrial strategy challenge fund we are supporting the next generation generally. In her constituency, the production of the new Nissan Leaf, which is the most popular electric car in the world, began in Sunderland last year with batteries actually made there.

Mrs Hodgson: Well, I know that!

Mr Speaker: We are very grateful to the hon. Lady, who says that she knows that, but I am also most grateful to the Minister.

Topical Questions

T1. [905082] Damien Moore (Southport) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Over the six weeks since our last questions, I have launched, as colleagues have heard, the creative industry sector deal, a partnership with industry to unlock growth for creative businesses across the UK. Last week, more than 50 leading technology businesses and organisations united to launch another sector deal worth £1 billion to put the UK at the forefront of artificial intelligence. Our industrial strategy is building confidence across the economy, which I saw at first hand in Luton a few weeks ago with the announcement that Vauxhall’s new Vivaro van will be made in the UK, securing 1,400 jobs and the long-term future of the plant.

Damien Moore: Many small businesses in my constituency of Southport are still struggling despite the Government’s various business rate relief schemes. What programmes and initiatives aimed at small business can my right hon. Friend recommend to help small business owners who are struggling in my constituency?

Greg Clark: I remember with great pleasure visiting a small dairy business—a milk business—with my hon. Friend. I hope that it is thriving. Since that visit, I am delighted to say that a number of loans from the Start Up Loans Company, totalling about £800,000, have benefited businesses in Southport. The Liverpool city region growth hub has been established to give advice and support to small businesses, too.

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): I welcome this morning’s news that the EU has secured a further 30-day exemption from the US’s steel tariffs. However, that merely prolongs the uncertainty facing the sector. What steps is the Secretary of State currently taking to secure a full UK exemption when the temporary one ends on 1 June, and when will his Department respond to the steel sector deal, a proposal crucial to the long-term sustainability of the sector?

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I can reassure the hon. Lady that there have been full
negotiations between us, the Americans and the European Union from the day that this started, and I have briefed her regularly. I have a call on Thursday morning with the chief executive officers of all the steel companies, which she is very welcome to join. I assure her and everyone else in this House that every effort is being made to help the steel industry.

**T2. [905083] Nigel Huddleston (Mid Worcestershire) (Con):** What plans does his Department have to keep Britain a global leader in artificial intelligence?

**Greg Clark:** The sector deal will help, and has had an enthusiastic reception from the industry. This country is leading the way in the development of artificial intelligence. The Alan Turing Institute is attracting scholars from across the world. One part of the deal is to ensure that we have an extra 8,000 specialist computer science teachers in schools to ensure that the next generation can reap the rewards.

**T5. [905086] Rosie Cooper (West Lancashire) (Lab):** Will the Secretary of State make an assessment of the potential merits of placing a requirement on private businesses seeking the long-term lease of roofs for solar panel fittings to inform their potential customers of their mortgage providers’ policies on such fittings before the lease is agreed?

**The Minister for Energy and Clean Growth (Claire Perry):** I will be happy to discuss the matter further with the hon. Lady. She has raised a hugely important point about how we include in a mortgage mix or a financing mix the value of companies and households installing measures to reduce their energy bills. The green finance taskforce, which has just reported to us, had some suggestions, and I would be delighted to discuss them further with the hon. Lady.

**T3. [905084] Antoinette Sandbach (Eddisbury) (Con):** Drax power station received £2 million a day last year to burn 13 million tonnes of imported wood, emitting more carbon dioxide per unit of energy generated than the most polluting coal-burned power stations. Will the Minister commit to looking at this and ensuring that the renewables obligation goes towards no-burn renewables and energy efficiency?

**Claire Perry:** My hon. Friend will be pleased to know that the current support for existing coal to biomass conversion will end by 2027. I am aware of many of the concerns about biomass, and we are looking at the issue carefully. However, sustainable, low-carbon bioenergy can help us on this transition, particularly away from coal burning.

**T7. [905088] Matt Western (Warwick and Leamington) (Lab):** The proposals announced at the weekend regarding a merger between Sainsbury’s and Asda will result—along with Tesco—in the most powerful duopoly in the UK grocery sector, accounting for 60% of the market. The Secretary of State will know that the likes of Terry Leahy, Justin King and Stuart Rose adopted the mantra that the consumer wants more choice, not less. Does the Secretary of State agree that this merger is not in the interests of producers, farmers and especially consumers?

**Greg Clark:** As the hon. Gentleman knows, this is why we have the Competition and Markets Authority, which is virtually certain to conduct an inquiry into this matter precisely to look into all the aspects to which he referred. I mentioned that the CMA has a new chair in Andrew Tyrie, and I am sure that the issue will receive the most rigorous scrutiny.

**T4. [905085] Stephen Kerr (Stirling) (Con):** The subsidy available to energy plant for burning wood is causing distortions in demand for virgin and recycled wood, which is constricting supply and increasing input costs for businesses such as Norbord in Cowie. Will the Minister meet me and representatives of the wood panel industry to hear at first hand about the issues that they are facing and the consequences?

**Claire Perry:** My hon. Friend is right to highlight a concerning issue. My officials are meeting representatives of the wood panel industry today, but I would be delighted to follow up with a personal meeting with him and his constituents.

**T8. [905089] Kevin Brennan (Cardiff West) (Lab):** May I congratulate the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Burton (Andrew Griffiths), on the recent birth of his daughter? In doing so, I remind the House that, as an office holder, he was unfortunately unable to take up shared parental leave—at least, that is certainly what he told the media. Does he have any empathy with people who cannot take up shared parental leave, and will he extend the provision to allow families who are working freelance, particularly in the creative industries, to get the flexibility they need to maintain their careers?

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths):** I thank the hon. Gentleman for his good wishes. Having just returned from my paternity leave, I reassure him that, although I am not legally allowed to take shared parental leave, the Government are very supportive of Ministers being able to take up such provisions. The Government want more families to benefit from the joy that comes from shared parental leave, which is why we have invested over £1 million in an advertising campaign to increase take-up.

**T6. [905087] Jeremy Quin (Horsham) (Con):** How are the Government supporting the growth and full geographic spread of degree-level apprenticeships?

**The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah):** The Government have created the £10 million degree apprenticeship development fund to support the development of infrastructure across England and to raise awareness of apprenticeships, among other aims. A degree apprenticeships website has been created by the National Apprenticeship Service and UCAS to highlight vacancies.

**T10. [905091] Ruth George (High Peak) (Lab):** Businesses in my constituency are extremely concerned that they will see more bureaucracy when we move out of the European Union. What is the Department doing to make sure that the UK will continue to be part of the single euro payments area, and also the VAT information exchange system, which my local businesses say is absolutely vital to keep them being able to pay and do business?
Greg Clark: My colleagues in the Department are very clear that we need to make it possible, through our agreement with the European Union, to trade not only without tariffs but with the minimum of frictions. The hon. Lady describes some elements of that. It is absolutely the purpose of the negotiations to avoid the introduction of any unnecessary frictions.

T9. [905090] Daniel Kawczynski (Shrewsbury and Atcham) (Con): Post Brexit, if the European Union restricts access to the Galileo satellite project, will the Minister undertake for us to restrict its access to the communications infrastructure of the Falklands and Ascension Island?

Mr Gyimah: The Government have been clear that we are unconditionally committed to European security and want to continue working together to develop defence and space capabilities. We feel that the Commission’s approach runs counter to what has been agreed as part of article 50, where a shared intent was agreed for strong UK-EU co-operation on defence in the future.

Mr Jim Cunningham (Coventry South) (Lab): The Minister will know that I have Jaguar Land Rover in my constituency. What will be the impact on Jaguar Land Rover of the changes to tax on diesel engines?

Greg Clark: The hon. Gentleman knows, and the House knows, that there has been a fall in sales of diesel engines, not just in this country but across Europe. That has been the reason for some of the termination of the contracts there. We will be setting out, as a Government, the future regulatory path to clean up our roads of emissions. In doing that, we will be consulting with the industry.

Martin Vickers (Cleethorpes) (Con): When does the Secretary of State anticipate being able to make an announcement about the Greater Grimsby town deal?

Greg Clark: I do not have a date in mind, but my hon. Friend’s persistent urging of me will make sure that it will be as soon as it can practicably be done.

Laura Smith (Crewe and Nantwich) (Lab): Have the Government made any assessment of whether social care providers will go bankrupt this year due to the ruling on sleep-in shifts and the minimum wage, and whether this will have any impact on social care? If so, will they provide that assessment to the House?

Andrew Griffiths: The Government are well aware of the challenges involved in sleep-in legislation and the national minimum wage and are working closely with providers. We are also in discussions with the European Commission and will bring forward plans in future.

Nicky Morgan (Loughborough) (Con): When will we see the review of Companies House procedures that I mentioned in my Adjournment debate on 20 November last year, which covers people who transition from one sex to another, whose records are sometimes left on the Companies House register? The previous Minister agreed to look at that.

Andrew Griffiths: I thank my right hon. Friend for that very important question. I remember the Westminster Hall debate that she had on this issue. The Government are minded to protect the rights of the transgender community. She will know that I recently brought forward a statutory instrument to allow directors to remove their addresses from the Companies House register in order to protect safety. I would be delighted to work with her to see what we can do to provide greater protections for the transgender community in this area.

Jo Swinson (East Dunbartonshire) (LD): The industrial strategy rightly sets out opportunities arising from the new technology and STEM—science, technology, engineering and maths—sectors but says little about the increasing importance of skills that are unique to human beings, such as care. Does the Secretary of State recognise that part of our answer to increasing automation should be expanding employment in the care sector and the value we attach to it? If so, will he start treating this as a strategic priority?

Greg Clark: It is indeed such a priority. I am delighted to see a copy of the strategy in the hon. Lady’s hands. In fact, one of the four grand challenges that we have set out regarding areas in which we can be a world leader is to develop the opportunities that arise from an ageing population, and care is absolutely central to that.
Point of Order

12.34 pm

Robert Halfon (Harlow) (Con): On a point of order, Mr Speaker. Last night in the House of Lords, Lord Roberts said:

“My mind went back to Berlin in March 1933 when the enabling Bill was passed in the Reichstag, which transferred the democratic right from the Parliament into the hands of one man—that was the Chancellor, and his name was Adolf Hitler.”—[Official Report, House of Lords, 30 April 2018; Vol. 790, c. 1856.]

As someone who is Jewish and very proud of our Parliament, I find those remarks absolutely disgusting. They are shameful for our country and for our Parliament, and completely unacceptable. Can you advise me of ways that this House can send a message to that peer that such trivialisation of evil is unacceptable and that he should withdraw those remarks?

Hon. Members: Hear, hear!

Mr Speaker: I am very grateful to the right hon. Gentleman for his point of order, and I accept and respect, not least having known him for a quarter of a century, the strength of feeling that he has just articulated on the matter. I am sorry to have to say to him, but I do, that the Speaker of this House has no role in policing or overseeing utterances in the other place. I do not think it is for me formally to take the matter forward. However, the right hon. Gentleman received strong support from colleagues for what he said, and if he wishes to write to the noble Lord and to enclose a copy of what he has said in this Chamber, I think he will feel that he has done the right thing, and it may elicit a response. I think he will feel that he has done the right thing, and it may elicit a response. I think he will feel that he has done the right thing, and he should withdraw those remarks?

Tributes (Speaker Martin)

12.36 pm

Mr Speaker: I informed the House yesterday that there would be an opportunity today for hon. and right hon. Members to pay tribute to the former Speaker of the House, my immediate predecessor, Michael Martin, latterly Lord Martin of Springburn. On behalf of all Members, I want to start by paying tribute to the memory of Michael Martin, and in doing so, I send my deepest sympathy to his wife Mary, to his daughter Mary, to his son Paul and to his grandchildren.

A Glaswegian former sheet metal worker, Michael was the son of a merchant seaman and a school cleaner. As some will know, he was born in a tenement in the nearby Anderston area on the north bank of the River Clyde in 1945. As I said yesterday—I make no apology for repeating it today—Michael Martin was passionate about and proud of his roots. Specifically, he was proud, and rightly proud, of the way in which he had overcome a difficult start in life to rise to one of the highest ceremonial offices in the land.

After leaving school at 15, he began his political journey as a shop steward for Rolls-Royce aero-engineers. In the 1970s, he became an organiser with the National Union of Public Employees, and after a period as a Labour councillor, he became Member of Parliament for Glasgow Springburn in 1979. He subsequently served for three decades as Member of Parliament for his people, to whose wellbeing and to whose advance he was throughout his career utterly dedicated.

As a Member of Parliament, Michael immersed himself in Commons life, and he eventually spent over a decade as a member of the Speaker’s Panel of Chairmen. He also became Chairman of the Scottish Grand Committee before devolution. After serving as Commons Speaker Betty Boothroyd’s Deputy from 1997, he was elected by Members of this House to succeed her in 2000. In doing so, he became the first Roman Catholic to serve in the role since the Reformation.

I think it is true to say, and I see around the House Members who recall Michael Martin—this is hugely to his credit—that he never forgot where he came from. In his coat of arms, which is still exhibited in Speaker’s House, he included a 12-inch steel rule, which signified his time as a sheet metal worker, and a chanter from a set of bagpipes, of which I must advise the House he was a keen and highly accomplished player. Indeed, he staged the first Burns night supper in the Palace of Westminster. The tradition has been continued since under various auspices, but his was the first.

As Mr Speaker, Michael quickly set about making his mark on the role by holding an unprecedented press conference, which provoked his critics into saying that he had broken the convention of keeping one’s distance from the media. He also dispensed with the traditional tights worn by his predecessors in favour of dark flannel trousers. If I may say so, he continued the precedent set by Lady Boothroyd of declining to wear the traditional wig. As colleagues will have noted, I have followed Betty and Michael in that regard.

Sadly, despite the many improvements Michael sought to make in the House of Commons to increase its diversity and his step of establishing an apprenticeship scheme, it was the MPs expenses scandal that led to his resignation from office in May 2009. Today, however,
we remember Michael as our colleague and, to many, a friend. Fundamentally, he was a decent, public-spirited, hard-working, unpretentious person who sought to make life better for the people whom he was privileged and elected to represent.

Michael was well known across the House for his care and concern for Members, for their staff and for the staff of the House. He was a fine campaigner, and he was very protective of Back Benchers. If memory serves me correctly, he was not the favoured choice of the Front Benches when he became Speaker, but he garnered huge support—that says something about his effectiveness and his popularity—and, colleagues, he also had a great sense of humour. On a personal level, as I mentioned yesterday, he was always very kind to me, and I have met many Members who say the same from their own experience. To this day, I still remember the lovely letter of congratulation he sent to me after my election as Speaker.

Michael Martin was a good man, and he served people faithfully. Above all, as people who knew him well will know, he was devoted to his community and he loved his family. He loved his family, and he was loved by his family. I hope on behalf of each and every one of you that I can today extend our heartfelt sympathy to his family.

To lead the tributes from the Front Benches, I call the Leader of the House.

12.43 pm

**The Leader of the House of Commons (Andrea Leadsom):** On behalf of Her Majesty’s Government, I join you, Mr Speaker, in expressing our sadness at the death on Sunday of the former House of Commons Speaker, Michael Martin—latterly, Lord Martin of Springburn. As we remember his life and contribution to this place today, the thoughts and prayers of the whole House will be with his family and friends.

First elected to the House of Commons for the seat of Glasgow, Springburn in 1979, Michael Martin was dedicated to the people of Glasgow. He was a proud Scotsman who never forgot his roots, and some Members, including my right hon. Friend the Secretary of State for Scotland, experienced his bagpipes playing at his annual Burns night supper, which I gather was something of a special event. He demonstrated that pride during his time as a Back-Bench Member, during his spell as Parliamentary Private Secretary to Denis Healey between 1981 and 1983 and, of course, during his time as a Cross-Bench peer in the other place.

As a Back-Bench Member, in addition to representing his constituents in Glasgow, Michael Martin was a member of the Trade and Industry Committee between 1983 and 1987. In 1987 he became First Deputy Chairman of Ways and Means, and he was elected to the position of Speaker in October 2000. In the debate before his election, he said:

“My apprenticeship has been one of serving the House as a Chairman of Standing Committees, the Administration Committee and the Scottish Grand Committee. I have never sought to be a Whip, a Front-Bench spokesman or a Minister...I have enjoyed defending the rights of the House.”—[Official Report, 23 October 2000; Vol. 355, c. 14.]

Michael Martin served as Speaker for almost nine years. He was introduced to the House of Lords in August 2009, where he was an active Cross-Bench peer.

While his tenure as Speaker was not always the easiest, in recent days a number of former and current Members have remembered the time that he took to welcome them as new Members.

Today we remember the contribution of Michael Martin to this House and send our sincere condolences to his family—to Mary, their children and grandchildren—and to his friends.

12.46 pm

**Valerie Vaz (Walsall South) (Lab):** On behalf of the Opposition, I thank you, Mr Speaker, for your kind words, and the Leader of the House for hers, in leading the tributes to Lord Martin of Springburn. Like her, I was not a Member when he was the Speaker of the House. Every Speaker has their own style and is a Speaker of their time, and he had to contend with some challenges. But we can remember the fact that he left school without qualifications at 15, and from a poverty-stricken background he ended up as the first Catholic Speaker, in one of the most senior posts in public life.

Michael Martin worked as a sheet metal worker at Rolls Royce, and then as a full-time organiser for the National Union of Public Employees—NUPE. There he met another union organiser who ended up as Leader of the Opposition. He entered Parliament in 1979 for Glasgow, Springburn and then for Glasgow North East, serving this place for 30 years. He was a member of numerous Committees and he clearly knew how this place worked. When elected Speaker, he sat in the chair without tights—as you said, Mr Speaker—a practice for Speakers he abolished. He started his tenure by holding a press conference—a very progressive move. He also served in the other place from 2009—nearly 40 years of public service.

You mentioned Michael’s kindness: a Member told me how anyone from a working-class background was always shown support so that they did not feel out of place in Parliament. A member of staff, who was also from a Glasgow housing estate, told me how Michael wrote to her mother saying how proud she should be of her daughter’s contribution in Parliament.

To Michael’s wife Mary, his son Paul, his daughter Mary Ann and his family, we send our condolences at this difficult time. Lord Martin was a politician, trade unionist and public servant, who was born on 3 July 1945 and died at the age of 72 on 29 April 2018. We salute his journey from poverty to the Speaker’s chair, from Anderston to Westminster. May he rest in peace.

**Several hon. Members rose—**

**Mr Speaker:** I will come to the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), who is an immensely senior Member, but we do not want to squander him too early. He is so senior, we will hold on for a moment. I call Nadine Dorries.

12.48 pm

**Ms Nadine Dorries (Mid Bedfordshire) (Con):** I endorse everything that has been said. The shadow Leader of the House was right: when I got here as somebody from a working-class background, Michael was kindness and support itself. I will never forget receiving a letter at home during my first summer recess in 2005, and being shocked to discover it was from the Speaker. It was a letter of praise and encouragement, informing me that
[Ms Nadine Dorries]

when I came back in September I might feel daunted again, but not to be. He was a testament to social mobility, how someone could come from his background to this place. The first time I saw him I remember thinking that he looked like Father Christmas sitting in the Chair and he embodied all those virtues of kindness and welcome. He was the first Speaker I ever encountered and I will never forget him. He professed his love for his family every time he spoke to me. He always mentioned his daughters and his family. That is all I have to say. I think that everybody who knew him will have the same sentiments.

12.50 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank you, Mr Speaker, for your very kind remarks, and I thank those who have followed you.

On behalf of the Scottish National party, I join the tributes paid to Michael Martin and send our deepest condolences and sympathies to his wife Mary and the whole family. Our thoughts and prayers are with all of them.

Very few of the current SNP group served in this House under Michael Martin’s Speakership, but those who did, and the former Members who did, have spoken fondly of their memories and the high regard in which he was held by Members right across the House. He was, as you and others have said, Mr Speaker, proud of his Glasgow roots and his Scottish heritage. His love of the pipes was well known, and I believe he once had the unique honour of playing his set of pipes at the top of the Elizabeth Tower.

Some of our longer serving staff members recall the occasion when the Serjeant at Arms informed the SNP group that bagpipes would not be permitted at a reception on St Andrew’s Day. When this came to the attention of Speaker Martin, he immediately intervened and ensured that the pipes were liberated and heard loudly across Portcullis House. I am also informed that two weeks before his resignation the recipe of his Speaker’s whisky was changed. Apparently, the few bottles that now remain change hands for exorbitant prices on eBay and so on.

There are few of us in the SNP who served under Michael, but my hon. Friend the Member for Argyll and Bute (Brendan O’Hara) did have the unenviable task of standing against him in the 1987 general election, attempting to overturn his robust majority of 26,000. The story goes that one day Michael stopped a woman in Duke Street to ask for her vote, only to be told that she would be voting SNP. Michael responded robustly, advising that the young candidate was, shall we say, something of an upset, to which the woman replied, “Really? That’s my son you’re talking about!” My hon. Friend to this day claims that his mother did vote for him and not Michael Martin, but perhaps we will never know.

In later years, some of our Members who now represent Glasgow constituencies—my hon. Friends the Members for Glasgow North (Patrick Grady), for Glasgow Central (Alison Thewliss) and for Glasgow East (David Linden)—lived in his constituency. Despite any political differences they might have had, they were all well aware of Michael’s diligence as a constituency MP, and of the affection and high regard in which he was held by the local community.

I am sure you will agree, Mr Speaker, that being Speaker of the House is not an easy task, but the tributes today make clear the respect the whole House had for Speaker Martin. He began a process of reform and modernisation that you, Mr Speaker, have continued, and which will no doubt carry on into the future. That can rightly be considered an important part of his legacy.

To have risen from his roots in poverty to the Chair of the House was a significant and considerable achievement. Michael was an inspiration to many. Michael, rest in peace.

12.53 pm

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I rise, very briefly, to join your tribute, Mr Speaker, which I appreciated very much.

On two occasions in my time in the House, I had cause to work closely with Michael Martin. The first occasion was when, after my Maastricht rebellions, I was banished by the Whips Office—they were able to do that in those days, as Mr Speaker will know—to an in-House Committee which met but infrequently. They thought that would be a punishment, but it was an absolute pleasure because Michael was the Chair of the Committee. He greeted me and said, “I know why you are here and it is not because you are interested in the running of the House!” He then regaled me with tales of the pipe major and many of the pipers in the Scots Guards, with whom I had served, and their chequered careers; the number of times they had gone up in the ranks and down in the ranks due to too much post-piping whisky. He offered to give me an example of just how they maintained their rank while playing well and he did just that. We missed a number of committee hearings as a result of his piping—I do not know who chaired them, by the way, even to this day—but he seemed less than interested in that and more interested in the piping side of things. I got along with him famously and the Whips never knew what a pleasure it was to be banished to that Committee.

The second occasion was when I had the misfortune to be elected leader of the Conservative party. I was the first Catholic to be elected as leader. I know just how difficult being the Leader of the Opposition is, particularly if one’s party wants to have an argument in an empty room most of the time, which I have some sense of, if not a little pleasure in. Michael took me to his room and chatted away to me about the difficulties. During our conversations, we settled on the fact that both of us were the first Catholics to serve in our positions. He was very proud of that, as was I.

Our roles did not quite end in the way we might have wished and that is one thing that I am very sad about. This House was going through a very difficult time and it was inevitable that the Speaker would, to some degree, become a focus of that. I want to put on record my view that this decent man was taken to task in a way that I think that everybod y who knew him will have the same sentiments.

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I am sad at Michael’s passing. He was a decent man and a good man. We did not necessarily treat him with the respect and decency he deserved, and I am sorry for that.

Mr Speaker: I thank the right hon. Gentleman very warmly for what he has said. I think the reaction of the House shows that colleagues feel the same.

Sir Vince Cable (Twickenham) (LD) rose—

Mr Speaker: If the right hon. Gentleman understands, I would like to call the successor but one to Michael’s constituency. I will come to the leader of the Liberal Democrats in a moment.

12.56 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): I was deeply saddened to learn about the death of Lord Michael Martin of Springburn and Port Dundas, the former Speaker of the House of Commons and my predecessor as the Labour Member of Parliament for the Glasgow North East constituency.

Michael was a lovely, decent and compassionate man who rose from Springburn sheet metal worker to become the first Roman Catholic Speaker since the Reformation. Throughout his career as a councillor on the Glasgow Corporation from 1973 and then as the local MP for Springburn spanning seven general elections from 1979 to 2009, his steadfast dedication to representing his constituents remained a constant hallmark of his commitment to public service. His efforts were reflected in the immense respect and regard in which he was held by the community he represented for over three decades. Michael helped to pioneer the modern housing association movement in Glasgow. He was a founding member of North Glasgow Housing Association, which is now the largest community-run housing association in the city. It has improved the quality of life for many Glaswegians over the years.

Michael epitomised all that was good about the Labour movement and the opportunity that it has afforded for the advancement of working-class people over the last century. He inspired many local young people into a vocation in politics. I have been particularly moved by the number of constituents who have contacted me in the past couple of days to express their gratitude for the help that Michael provided to their family or to their neighbours. To this day, on every single street in my constituency, Michael is fondly remembered, even though he never sought any great recognition for his efforts. He often referred to the lesson in the Gospel of St Luke about Jesus healing 10 lepers, but only one coming back to thank him. Michael sought to help people humbly, quietly and without any need for praise.

At the time of Michael’s retirement from the House of Commons, his Glasgow colleague Mohammad Sarwar shared with the House a letter he had received from a 16-year-old constituent who had previously visited the House as part of a school trip. Her name is Kayleigh Quinn, and she wrote:

“I am deeply upset that Mr Martin has been compelled to resign from his post. As someone from the same working-class Glasgow background as Michael Martin, I am extremely proud of what he has achieved in his political career.”

Today, Kayleigh is an organiser for the Labour party in Glasgow and one of the leading figures in the Scottish Labour party. That is Michael Martin’s real legacy: how he inspired young people.

I was particularly gratified to meet Lord Martin last July, in the week before I made my maiden speech in this House after regaining Glasgow North East for the Labour party following a brief interlude. He told me of his delight that his seat was now back in “safe hands”, and I hope to live up to that expectation.

Another project that Michael was instrumental in setting up in our constituency was the Alive and Kicking elderly people’s social club in Balornock, which I visited earlier this year. I was quickly reminded of Michael’s ubiquitous presence and legacy in the constituency when I spotted the brass plate commemorating him opening the club on 15 December 1988—exactly one month before I was born. I also remember visiting the Speaker’s House soon after I was elected and being confronted by a 14-foot oil painting of my predecessor. I thought that that was a very effective device to make his successors feel simultaneously inspired and inadequate. I will always remember finding that and thinking of the great impact that he had made on this House and in his constituency.

Michael’s example of kindness and dedication to fighting for the interests of his constituents is something that will always inspire and guide me as his successor as the representative of the people of Springburn and Glasgow North East in the House of Commons today. My thoughts are with Michael’s family—especially his wife Mary, his children Paul and Mary, and his three grandchildren—at this difficult time. I encourage all Members to consider signing my early-day motion 1214 in memory of Michael.

1 pm

Sir Peter Bottomley (Worthing West) (Con): Michael Martin would have been an MP for nine years when his successor but two was born. It is worth noting that if he had remained in the Chair until now and then gone on for a few more years, he might have been Father of the House as well as Speaker. How he would have heard the nomination and dragged himself to the Chair I am not quite sure, but he probably would have found a way.

It is worth noting that some of the criticism of him was absurd. A quarter of a million pounds was thought to have been spent on Speaker’s Green, which was supposed to have been his garden. The fact that it is a bike rack and a goods yard for the rebuilding of the Palace shows how sometimes our journalists think that a story is too good to check. He put up with that with good nature, and it is worth noting that his reason for retiring from the speakership was the unity of the House.

He and I once had a conversation when he was Speaker about how it might be possible to have a debate in the House about the conduct and role of the Chair without that being an implied criticism of the Speaker. Perhaps you as his successor, Mr Speaker, might find a way for that to happen every two or three years, because there are many things that happen when a Speaker might like to get the sort of direction that Speaker Lowther claimed that he had when he had Charles I to deal with.

Chris Bryant (Rhondda) (Lab): Speaker Lenthall.
Sir Peter Bottomley: Speaker Lenthall—forgive me.

The Speaker whom I think had the problem with how the House dealt with expenses was Michael Martin's predecessor. I have said this in the House before, so it will be no surprise. If his predecessor had backed up Elizabeth Filkin over the expenses rows involving a number of MPs, perhaps the standard of behaviour among some Members would not have fallen so low or become so widespread. I think that he, in effect, was carrying some of the consequences of what happened before him.

I am parliamentary warden of St Margaret's Church in Parliament Square. I am glad to say that we have had inclusiveness in the Chair—I do not think you need to be socially mobile to get into the Speaker's Chair, and being able to be there as someone who is Jewish, someone who is Christian (Methodist) such as George Thomas, or someone who is Christian (Roman Catholic) such as Michael Martin, is a sign of the inclusiveness of this place and something that I am proud of.

I am also proud that Michael Martin, when he was a Back Bencher—he continued doing this for a bit when he was Speaker—would come to the monthly communion services that are held at St Margaret's, which are followed by a breakfast in Speaker's House for which we are grateful, Mr Speaker. Having a Roman Catholic joining in with Christians of other denominations in a monthly service was an example of the inclusiveness that he showed by example, even if some of the prelates in his Church did not approve.

1.3 pm

Sir Vince Cable (Twickenham) (LD): I would like to add to the warm tributes that have been made and send condolences to Speaker Martin's family. I can perhaps close the historical loop that was initiated by the hon. Member for Glasgow North East (Mr Sweeney), because I knew Michael Martin at the beginning of his political career rather than at the end. As it happens, we were both elected to Glasgow City Council for neighbouring wards in the same year. Despite our somewhat different backgrounds, we became good friends and colleagues.

I remember him well as somebody who was totally devoted to his ward, his local community, the Labour movement—his origins were in the Amalgamated Union of Engineering Workers, now Unite, though he became a white-collar organiser—and his Church. I mention that because at that time in Glasgow's political history, there had been a long period of Labour rule, and that was interrupted briefly for three years when it was ruled by a combination of Conservatives, nationalists and something called the Progressive party, which was anything but—it was a legacy of the sectarian tradition in Glasgow. I think one needed to understand that to understand what Michael fought for.

At the time we were on the council, nobody would have claimed that he was a policy wonk. He was not high profile, but he was a very effective behind-the-scenes operator who made things happen. I remember being involved with him on two campaigns in particular. The first was when Mrs Thatcher, I think in 1971, abolished free school milk. That was a particularly potent issue in Glasgow, and it was something about which he cared passionately because of the poverty of his upbringing. There was still rickets in schools in Glasgow, and there was enormously strong feeling about this. In the ruling group in Glasgow Council, we decided not to implement the Government legislation. As a result, he, I and various other colleagues were very nearly disqualified from public life. I mention that in the context of his own convictions.

The other major campaign that he organised, which stemmed from his AUEW background, came a year later, when the Upper Clyde Shipbuilders' crisis came to the fore. There was an enormous mobilisation in the city and within the west of Scotland in support of the shipyard workers. As a member of the union and with his organisational skills, he played a very important part in helping to deliver that.

I did not see him again for another 25 years. I came into the House through a somewhat different political journey, but our friendship resumed. I remember him as he was: an amiable, likeable man with flashes of great kindness. I remember in particular the kindness that he showed to one of my former colleagues, the late Patsy Calton. When she was dying of cancer, he went out of his way to put a protective arm around her, and many of us on the Liberal Democrat Benches remember that episode.

He was extremely effective in his networking and his work behind the scenes on the Chairmen's Panel, but we should also remember that he was a politician. He took a very firm stand in Glasgow when there was a severe and ugly outbreak of feeling against asylum seekers in his constituency and the Sighthill developments. He was a strong campaigner for apprenticeships, building on his own history. To me, and I think many other people, he is somebody we should have great respect for. Particularly as he left under a cloud, I think that we should remember now that he was a fundamentally decent, good man whom this House should honour.

Several hon. Members rose—

Mr Speaker: Order. I am keen to accommodate remaining colleagues who feel that they need to speak, and there are no doubt several who do, but I just gently point out to the House that the subsequent business is likely to be of intense interest, and therefore there is a premium on brevity.

1.8 pm

Sir Henry Bellingham (North West Norfolk) (Con): I would like to join in the sympathies that have been expressed so far. I was fortunate to join this House four years after Lord Martin did, and we became friends. He had friends across the House, and as soon as he discovered that my grandmother came from Glasgow, we became even closer friends. He was an outstandingly collegiate person. He was an excellent member of the Chairmen's Panel, as it was called then, and a very, very good Deputy Speaker.

As you know, Mr Speaker, I then had a brief time out of the House—I am grateful that the electorate decided to give me a break. When I came back in 2001, Michael Martin had made the journey from Deputy Speaker to Speaker, and he was incredibly kind to the new intake. He went out of his way to welcome them and showed a really strong interest in all of us. You mentioned, Mr Speaker, that he may not always have been a favourite of Front Benchers. Many of us spent much of the first decade of this century on the Opposition Front Bench. He was a friend of the Opposition Front-Bench team,
because he supported us in ways he did not have to. He was understanding and patient. He built up our confidence and cut us a lot of slack, and I will never forget his kindness to me when I first joined the Front Bench in 2001. Like you, Mr Speaker, he set the bar very high when it came to making Speaker’s House available to colleagues and outside organisations, charities and friends. He used that extraordinary resource to help people and build happiness.

I was deeply upset when a tiny number of colleagues criticised Michael’s handling of expenses. His instinct was always to honour parliamentary sovereignty and to put Parliament in the driving seat when it came to sorting out the problems with the expenses regime. In many ways, he was right in that approach, and one only has to look at the performance of the Independent Parliamentary Standards Authority subsequently and the way in which parliamentary sovereignty has been taken away to see that he has been vindicated. I think that history will judge him very differently from how a small number of colleagues and the press judged him at the time.

I would like to remember someone who was a fundamentally decent person. He commanded respect among the people who worked for him, and he was a very decent and fair man. I will remember him with great fondness, and my sympathies and heartfelt thoughts and prayers go out to his family at this difficult time. He has been taken from us at too young an age.

1.11 pm

**Jim Fitzpatrick** (Poplar and Limehouse) (Lab): I want to make three brief comments, first because some of the recent obituaries have not been very complimentary about someone who, as we have heard, was essentially a very decent man and human being. Secondly, it was reported that he was unhappy about being called “Gorbals Mick” by the Lobby, because he was in fact an Anderston boy and a Springburn MP, as you described, Mr Speaker. As a Gorbals boy myself, I never understood why the Lobby thought that was some kind of insult.

Thirdly, and most importantly, very few people outside this place know how accommodating Speakers, in occupying that distinguished office, are in affording access to the state apartments, hosting charitable events and supporting Members. You have not only continued that, Mr Speaker, but extended it. I had occasion to host a visit from a doctor friend of my wife’s whose teenage son was seriously damaged due to his suffering from a condition called Fragile X syndrome—a combination of a learning disability, sight and hearing problems, autism and, I think, a bit of Tourette’s. He was fixated on this wonderful building and the office of Speaker, which was then occupied by Michael Martin.

Michael invited us to the state apartments, and when he saw the Speaker, he shouted, “Martin, Martin!” His mother suggested, “Actually, it’s Mr Speaker or Mr Martin,” but Vincent was not having any of it, and neither was Michael—“Martin” was the name and “Martin” was good enough for Michael. When he invited us in, he sent Vincent’s mum, me and my wife to have a glass of champagne—he was in between receptions, with one ongoing—and took Vincent on a personal visit to the inner sanctum. That young man’s life was much enhanced by meeting Michael and being welcomed by him. Michael did not need to be as kind as he was, but he was. Many of us remember him fondly and send our condolences to his family.

1.13 pm

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): Michael Martin was Speaker when I was first elected in 2001. As others have observed, he was capable of tremendous kindness—to his family, his friends, his constituents and Members from all parts of the House—throughout his time. I suspect that the last of these kindnesses might have been the most difficult to sustain, but throughout his time in the Chair, he never failed to do so.

We will all have our own memories of Michael’s warmth and kindness. I will always remember him going from the Speaker’s Chair to shake the hand of my late colleague Patsy Calton after she had taken the Oath following her re-election in 2005. At that time, Patsy was in the latter stages of her fight against cancer—she died a few weeks later—and Michael went from the Chair to her because she had taken the Oath in a wheelchair. That act of simple kindness and humanity summed him up as a man and as a Speaker. Yes, he maintained many traditions of the office, but those traditions were never allowed to get in the way of what mattered. If it was a choice between the traditions of the House and simple humanity, the traditions could quickly be dispensed with.

If someone did not already know it, they had only to spend a few seconds—or possibly a few syllables—in Michael Martin’s company to know that here was a Scotsman, and a Glaswegian at that. He was not the first person to occupy the Chair who spoke with a broad accent—the late George Thomas, the Viscount Tonypandy, springs readily to mind—but I am certain that no other occupant of the Speaker’s Chair ever had to endure the sniping and snobbery that Michael Martin had to, although if it bothered him, he never showed it. As a Glaswegian and a Scot, he was comfortable in his own skin. He was proud of his Scottish identity and his working-class Glaswegian roots, and if anybody did not like that, frankly it was their problem, not his.

Much of what has been said today has focused on the personality and character of the man—and understandably so. He served as a Member of this House for 30 years, occupying the Speaker’s Chair for nine. He has a legacy. We have spoken much in recent weeks about the modern convention of the Government requiring Parliament’s approval before launching military action. When doing so, we should remember Michael Martin’s role in establishing that convention. I will never forget the debates leading up to the invasion of Iraq—they were momentous parliamentary occasions. Tony Blair brought a motion to the House on which we could vote. The Opposition of the day were also in favour of the military action and duly tabled an amendment outlining their position. It was not, however, materially different from the Government’s motion, and in an act of constitutional probity, and also of political bravery—it was against the party from which he had come—Michael Martin selected instead a cross-party amendment putting the view that the case for war had not been proven. Yes, Tony Blair, to his credit, allowed Parliament a vote, but it was thanks to Michael Martin that we were given a meaningful choice.
Mr Alistair Carmichael

Like you, Mr Speaker, I extend my sympathies to Mary, their children and their grandchildren, but we should do more than that. We should remind the Martin family that in this Palace of Westminster, because of the efforts of Michael Martin, their family will always be welcome among our parliamentary family.

Mr Gregory Campbell (East Londonderry) (DUP):

When I first came into the House in 2001, Speaker Martin was in the Chair and immediately made me and my colleagues welcome. He was impeccable in his kindness. I remember several occasions when I had cause to speak with him, and he never failed to be polite and to assist. I distinctly remember the parliamentary party of the Democratic Unionist party once having concerns about parliamentary proceedings—I do not remember why—and we arranged a meeting with the Speaker to see if he could be of assistance. Of course, we met him and had a cup of tea, and he was impeccably polite as normal, and as I would expect a Speaker to be, but what struck me was not the kindness, the politeness or the cup of tea but the fact that within a day or two the issues we raised were dealt with. Not only was he impeccably polite; he was efficient.

We pass on our regards and our thoughts and prayers to the Martin family. As a Speaker and a family man, he was not arrogant—he did not slap Members down—but he ruled resolutely and was always a Speaker to whom Back-Bench Members could turn to get issues resolved. We will always remember Speaker Michael Martin.

Stephen Pound (Ealing North) (Lab):

I thought that your words combined warmth and dignity in a way that was a fitting tribute to a man of warmth and of dignity. I thank you for that.

As I listened to your words about Michael Martin, and about how he loved his family and how his family loved him, I thought immediately of how much he loved this place—how much he loved this Parliament—and it is with some melancholy that I say that this place did not reciprocate as it should have. He was not loved by Parliament as much as he loved Parliament. He was cruelly treated—very often, I have to say, on the basis of snobbery: of cruel, cruel snobbery. But if I have an abiding memory, it is of when he—and you, Mr Speaker—had several run-ins with Michael Martin. Indeed, he once told me in front of the whole House that I should go and sit in a dark room “until the feeling goes away”. But it was a bit like offending you, Mr Speaker: if a Member took his rebuke like a man, it was all over, “The Godfather”. I once found myself sitting between Cardinal Keith O’Brien and the Reverend Dr Ian Paisley at dinner; I was something of a cordon sanitaire.

I shall never forget the time when Michael Martin invited Scouts and Guides from Maryhill and Springburn to Speaker’s House. He was the epitome of the avuncular. He delighted in the company of his ain fowk—his own people. He wanted to show them that it did not matter where they came from or what their background was, they too could be in Speaker’s House. I am sure those Scouts and Guides will always remember that.

May I say gently, Mr Speaker, that his great kindness to new Members, which has often been referred to, was not entirely altruistic? Twenty-one years ago my good friend Tony McNulty and I were both elected to this House, and we found ourselves in the Tea Room. Michael Martin, then a Deputy Speaker, came up and remarked to me that he and I shared the same birthday, and proceeded to talk about the similarities between us on that basis. He then mentioned that Tony McNulty had attended the Salvatorian College, and referred to some of the Salvatorian fathers he had known. He then advised both of us that if we wanted to know anything about modern politics, there was only one book that we should read. Tony, who was something of a nerd in these matters, asked “Would that be Erskine May?” Michael Martin said, “No, no—” “The Godfather”. I gave each of us a copy, and when he left Tony and I looked at each other and said, “If the rest of our parliamentary career is going to be as friendly as that, we shall be absolutely fine; we’ve found our feet.”

To our amazement, we discovered that Michael was at that time casting out the possibility of being elected as Speaker. This came as a considerable shock to us, but we both voted for him with enthusiasm. On 3 July each year, he would always make a point of calling me, as we were the birthday boys on that particular day.

Michael Martin was a man of extraordinary kindness and decency. He was not well treated by the House, but I think the words that his wife Mary, and his children Paul and Mary, will hear coming from the House today will be of some consolation. Michael Martin: may light eternal shine upon him, and may he rest in peace.

Mr Speaker: I thank the hon. Gentleman for that magnificent tribute.

Sir Desmond Swayne (New Forest West) (Con):

Michael Martin was a fine man and a fine-looking man, not unlike yourself, and, as I have told you before, I have no doubt that both of you would have looked better in tights and wigs; but let that be.

I had several run-ins with Michael Martin. Indeed, he once told me in front of the whole House that I should go and sit in a dark room “until the feeling goes away”. But it was a bit like offending you, Mr Speaker: if a Member took his rebuke like a man, it was all over, and it was back to his ordinary, easy-going charm and his deep commitment and friendship within the House.

I particularly recall his summoning me when I was called up to serve in the Army in Iraq in May 2003. He was a former soldier himself, a former Territorial, and it was absolutely clear to me that he was genuinely concerned for my welfare and that of my family. He gave me some very good advice indeed. He was a thoroughly good man.

Mr Speaker: I thank the right hon. Gentleman. I am so glad that he said what he did.
Mr Speaker, you said that Michael Martin was the first Roman Catholic to hold your great office of state since the Reformation. Catholics now regularly hold high office in Scotland and across the UK, but that was not always the case, and a significant degree of sectarian abuse from certain quarters is still directed towards those of us in public life who are from the Catholic tradition. Let me add my very personal and sincere thank you to Michael Martin for breaking through that particular glass ceiling. May he rest in peace.

1.25 pm

David Linden (Glasgow East) (SNP): One of the great honours that the hon. Member for Glasgow North East (Mr Sweeney) and I have is sharing the community of Carntyne, where many of my family come from and where many of them still live today. I had the pleasure of spending some time at the weekend with the Labour Councillor Frank McAvety, discussing some memories of Michael Martin and his days in Springburn Labour party—some of which cannot be repeated in this House, I am afraid.

I think there is something hugely inspiring about the fact that this is a guy who was a sheet metal worker in Glasgow and was raised to his position in the House of Commons. He did not come here and pull the ladder up behind him, and he made sure that apprenticeships were available. That is something that chimes with me, as a former modern apprentice.

Let me return to the subject of Carntyne and the members of my family who live there. Not all of them will have been Labour voters, or Scottish National party voters, and I still do not know how some of them voted. What is left with me, however, is the memory of my gran, who lived in Michael Martin’s constituency, saying—this was probably the greatest tribute that could be paid to someone by a wee old lady in Glasgow—“He was an awfully kind man.” I think that that is how we in the House should remember him.

Mr Speaker: I am exceedingly grateful to the Leader of the House, to the shadow Leader of the House, and to all Members who have spoken with warmth and sincerity of our sadly departed colleague. We remember Michael today, and we remember him, as Members have said, with affection and respect.

Road Traffic Offenders (Surrender of Driving Licences Etc.)

Motion for leave to bring in a Bill (Standing Order No. 23)

1.26 pm

Mr Alister Jack (Dumfries and Galloway) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about the surrender, production or other delivery up of driving licences, or test certificates, in relation to certain offences; to make provision in relation to identifying persons in connection with fixed penalty notices, conditional offers and the payment of fixed penalties under the Road Traffic Offenders Act 1988; and for connected purposes.

The primary purpose of the Bill is to streamline the processes for the electronic endorsement of driving licences, but it would also strengthen the rules for the surrender of a driving licence when a driver faces disqualification. It would primarily amend the Road Traffic Offenders Act 1988 and the Road Traffic (New Drivers) Act 1995. It would eliminate the unnecessary burden on drivers by removing the need for a physical licence to be produced.

It may be helpful if I give some background information about why the requirement to produce the driving licence, as part of the enforcement of road traffic law, is such an issue for all concerned. Before the requirement for a paper counterpart to the driving licence was abolished, the counterpart would have been physically endorsed with details of offences and penalty points. Since the removal of the paper counterpart, no physical documents are endorsed when a person receives penalty points, either from a court or as part of the fixed penalty process. Instead, penalty points are recorded on the electronic driver record held by the Driver and Vehicle Licensing Agency. The provisions in the Road Safety Act 2006 which removed the counterpart did not remove the requirement to surrender licences as part of the court and fixed penalty processes, because at that point the automation of the computer systems of the police and court services was unable to accommodate that change.

The surrender of a licence, which was vital when physical documents had to be endorsed, no longer serves any practical purpose. It also creates unnecessary administrative burdens for courts, fixed penalty offices, police and, importantly, motorists. In recognition of that, the Bill removes the requirement to surrender a driving licence as part of the fixed penalty notice, and the conditional offer processes, for all road traffic offences. That will mean that licences will no longer have to be handed over, or posted, before a person can accept a fixed penalty notice or a conditional offer.

As some Members will know, fixed penalties and conditional offers are widely used to enforce “moving traffic offences” such as speeding. Currently, if a person does not have their licence with them when they are stopped for a road traffic offence, the police officer cannot issue a fixed penalty notice. Instead the police officer can give the driver an interim notice which requires them to attend a police station, and at the police station the driver must surrender their licence and exchange the interim notice for a fixed penalty notice. My Bill amends this procedure. It allows police
officers to issue a fixed penalty notice without checking and retaining the physical licence, as long as they are reasonably satisfied of the driver’s identity. This also means that the driver will no longer have to attend the police station to surrender their licence under these circumstances.

Another aspect of my Bill focuses on the process under the Road Traffic Offenders Act 1988. This Act provides that when a driver is prosecuted for a motoring offence that could result in a disqualification, they must deliver or post their licence to the court in advance of the hearing, or take it to the hearing if they attend. The Bill proposes to remove any need for these drivers to deliver or post their licence before the hearing, leaving only the duty to take their licence to court if there is a hearing and if they attend. This will not only remove the unnecessary burden on drivers having to get their licences to court prior to a hearing, but will also remove the burden on the court of having to handle the driving licence administratively if the driver does not end up being disqualified.

The Bill will also provide courts with the power to require the driver to surrender their licence to the court if they are disqualified. However, a disqualified driver does not attend the hearing, or does not produce the licence, the Bill empowers the DVLA to serve notice on the disqualified driver requiring them to send their licence to it. If a driver fails without reasonable excuse to comply with the notice within 28 days, they will have committed an offence and could be liable to a fine of up to £1,000.

Similar adjustments are made to the Road Traffic (New Drivers) Act 1995 procedures and offences, which contain various references to the court, fixed penalty or conditional offer processes involving production and surrender of driving licences. Again, the DVLA will be empowered to serve a notice on a disqualified driver requiring them to send their licence to it.

Under the powers provided in this Bill, where a driver has already been required to surrender their licence to the DVLA and has failed to do so, police officers and vehicle examiners are given the power to require production of the licence from the driver. Failure to surrender the licence to a police officer or vehicle examiner in these circumstances will be an offence and will also incur a maximum fine of £1,000.

There are numerous benefits to be had from removing this administrative requirement. Motorists and employers will welcome these changes, as the inconvenience for such a vast number of drivers serves no practical purpose, when all that happens is that the licence is receipted and then returned to the driver concerned without anything being done to it.

This Bill is greatly supported by both the police and court services across Great Britain as it will enable them to continue to make savings in their processes and optimise their use of digital services. While there will be initial set-up costs associated with removing the requirement to surrender the licence, they will be absorbed by the departments involved in the process.

Members will also be pleased to learn that the measure is expected to provide savings of approximately £2 million a year to the Government, by removing the need for these physical documents to be surrendered. There will also be cost and efficiency savings for the police and courts, because fewer staff will be required as driving licences will not be handled or returned to drivers. In addition, there will be a reduction in stationery and postage costs for these departments. Motorists will also see a reduction in costs from the time saved in not having to forward the licence to either the fixed penalty office or the court.

It is expected that in the longer term this measure will allow for further Government savings, and removing the requirements for physical documents to be surrendered will enable the courts to digitise greater parts of the court service and fixed penalty processes for road traffic offences, in line with their current digitalisation goals.

I hope that my Bill will provide an opportunity to streamline these processes and maximise digital services across Government by removing what is now considered to be a redundant process, and I commend the Bill to the House.

Question put and agreed to.

Ordered,

That Mr Alister Jack, Alex Burghart, Eddie Hughes, Mrs Kemi Badenoch, Leo Docherty, Mr Simon Clarke, Julia Lopez, Andrew Bridgen, Mr Jacob Rees-Mogg, Mr William Wragg, Richard Drax and Colin Clark present a Bill.

Mr Alister Jack accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 11 May, and to be printed (Bill 201).

SANCTIONS AND ANTI-MONEY LAUNDERING BILL [LORDS]: PROGRAMME (NO. 2)

Ordered,

That the Order of 20 February 2018 (Sanctions and Anti-Money Laundering Bill (Lords) (Programme)) be varied as follows:

1. Paragraphs (4) and (5) of the Order shall be omitted.

2. Proceedings on Consideration shall be taken in the order shown in the first column of the following Table.

3. 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>
<thead>
<tr>
<th>Proceedings</th>
<th>Time for conclusion of proceedings</th>
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<tbody>
<tr>
<td>New Clauses, new Schedules and amendments relating to gross violations of human rights, to public registers in Crown Dependencies and British overseas territories of beneficial ownership of companies, or to Scottish limited partnerships</td>
<td></td>
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<tr>
<td>Remaining proceedings on Consideration</td>
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<td>6.00 pm on the day on which proceedings on Consideration are commenced.</td>
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(4) Any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion at 6.00 pm on the day on which proceedings on Consideration are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 7.00 pm on the day on which proceedings on Consideration are commenced.

—(Sir Alan Duncan.)
**Sanctions and Anti-Money Laundering Bill [Lords]**

**Consideration of Bill, as amended in the Public Bill Committee.**

**Mr Speaker:** Before we begin with Government new clause 3, I want to refer to the procedure for this debate. As the House will know, I have decided not to use my discretion to select the late starred new clauses and amendments from the Government, which were tabled yesterday afternoon and which appeared in print for the first time only this morning.

**New Clause 3**

**Periodic reports on exercise of power to make regulations under section 1**

“(1) The Secretary of State must as soon as reasonably practicable after the end of each reporting period lay before Parliament a report which—

(a) specifies the regulations under section 1, if any, that were made in that reporting period,

(b) identifies which, if any, of those regulations—

(i) stated a relevant human rights purpose, or

(ii) amended or revoked regulations stating such a purpose,

(c) specifies any recommendations which in that reporting period were made by a Parliamentary Committee in connection with a relevant independent review, and

(d) includes a copy of any response to those recommendations which was made by the government to that Committee in that reporting period.

(2) Nothing in subsection (1)(d) requires a report under this section to contain anything the disclosure of which may, in the opinion of the Secretary of State, damage national security or international relations.

(3) For the purposes of this section the following are reporting periods—

(a) the period of 12 months beginning with the day on which this Act is passed (“the first reporting period”), and

(b) each period of 12 months that ends with an anniversary of the date when the first reporting period ended.

(4) For the purposes of this section—

(a) regulations “state” a purpose if the purpose is stated under section 1(3) in the regulations;

(b) a purpose is a “relevant human rights purpose” if, in the opinion of the Secretary of State, carrying out that purpose would provide accountability for or be a deterrent to gross violations of human rights.

(5) In this section—

“the government” means the government of the United Kingdom;

“gross violation of human rights” has the meaning given by section 1(6A);

a “Parliamentary Committee” means a committee of the House of Commons or a committee of the House of Lords or a joint committee of both Houses;

a “relevant independent review”, in relation to a Parliamentary Committee, means a consideration by that Committee of whether the power to make regulations under section 1 should be exercised in connection with a gross violation of human rights.” —[Sir Alan Duncan.]"

This new clause requires periodic reports to be made about the use of the power to make sanctions regulations. A report must identify regulations relating to gross human rights violations. It must also specify any recommendations made by a Parliamentary Committee for use of that power in relation to such violations, and include the government’s response.

**Brought up, and read the First time.**

1.36 pm

**The Minister for Europe and the Americas (Sir Alan Duncan):** I beg to move, That the clause be read a Second time.

**Mr Speaker:** With this it will be convenient to discuss the following:

New clause 1—Scottish Limited Partnerships: partner requirement—

“(1) For the purposes of preventing money laundering, where a limited partnership registered in Scotland has general partners at least one of those must be a British citizen.

(2) Where a limited partnership registered in Scotland has limited partners at least one of those must be a British citizen.

(3) In this section—

a “limited partnership registered in Scotland” means a partnership registered under the Limited Partnerships Act 1907;

“British citizen” has the meaning given in part 1 of the British Nationality Act 1981.

“general partner” has the meaning given in section 4(2) of the Limited Partnerships Act 1907;

“limited partner” has the meaning given in section 4(2A) of the Limited Partnerships Act 1907.”

New clause 6—Public registers of beneficial ownership of companies registered in British Overseas Territories—

“(1) For the purposes of the detection, investigation or prevention of money laundering, the Secretary of State must provide all reasonable assistance to the governments of the British Overseas Territories to enable each of those governments to establish a publicly accessible register of the beneficial ownership of companies registered in each government’s jurisdiction.

(2) The Secretary of State must, no later than 31 December 2020, prepare a draft Order in Council requiring the government of any British Overseas Territory that has not introduced a publicly accessible register of the beneficial ownership of companies within its jurisdiction to do so.

(3) The draft Order in Council under subsection (2) must set out the form that the register must take.

(4) If an Order in Council contains requirements of a kind mentioned in subsection (2)—

(a) it must be laid before Parliament after being made, and

(b) if not approved by a resolution of each House of Parliament before the end of 28 days beginning with the day on which it is made, it ceases to have effect at the end of that period (but without that affecting the power to make a new Order under this section).

(5) In calculating a period of 28 days for the purposes of subsection (4), no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

(6) For the purposes of this section, “British Overseas Territories” means a territory listed in Schedule 6 of the British Nationality Act 1981.

(7) For the purposes of this section, “a publicly accessible register of the beneficial ownership of companies” means a register which, in the opinion of the Secretary of State, provides information broadly equivalent to that available in accordance with the provisions of Part 21A of the Companies Act 2006.”

This new clause would require the Secretary of State to take steps to provide that British Overseas Territories establish publicly accessible registers of the beneficial ownership of companies.
New clause 14—Public registers of beneficial ownership of companies in the Crown Dependencies

“(1) For the purpose of preventing money laundering, the Secretary of State must provide all reasonable assistance to the governments of the Crown Dependencies to enable each of those governments to establish a publicly accessible register of the beneficial ownership of companies registered in that government’s jurisdiction.

(2) The Secretary of State must, by the deadline set for the implementation of the European Union’s 5th Anti-Money Laundering Directive, prepare a draft Order in Council requiring the government of any Crown Dependency that has not introduced a publicly accessible register of beneficial ownership of companies within their jurisdiction to do so.

(3) The draft Order in Council under subsection (2)—

(a) must be laid before Parliament after being made, and

(b) if not approved by a resolution of each House of Parliament before the end of the 28 days beginning with the day on which it is made, ceases to have effect at the end of that period (but without that affecting the power to make a new Order).

(4) In calculating a period of 28 days for the purposes of subsection (4), no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.

(5) For the purposes of this section, a “publicly accessible register of beneficial ownership of companies” means a register which, in the opinion of the Secretary of State, provides information broadly equivalent to that available in accordance with the provisions of Part 21A of the Companies Act 2006 (information about people with significant control).

(6) For the purposes of this section, “Crown Dependency means—

(a) any of the Channel Islands;

(b) the Isle of Man.”

New clause 19—Scottish Limited Partnerships: UK bank account requirement

“(1) For the purposes of preventing money laundering, where a limited partnership registered in Scotland has general partners at least one of those must have an active UK bank account.

(2) Where a limited partnership registered in Scotland has limited partners at least one of those must have an active UK bank account.

(3) In this section—

a “limited partnership registered in Scotland” means a partnership registered under the Limited Partnerships Act 1907;

“general partner” has the meaning given in section 4(2) of the Limited Partnership Act 1907;

“limited partner” has the meaning given in section 4(2A) of the Limited Partnership Act 1907.”

Government amendments 10 to 12.

Amendment 32, in clause 1, page 2, line 17, at end insert—

“(i) further accountability for, or act as a deterrent to, the commission of a gross human rights abuse or violation.”

This amendment would enable sanctions to be made for the purpose of preventing, or in response to, a gross human rights abuse or violation.

Amendment 33, page 2, line 35, at end insert—

“(5A) In this section, conduct constitutes “the commission of a gross human rights abuse or violation” if each of the following three conditions is met.

(5B) The first condition is that—

(a) the conduct constitutes the torture of a person who has sought—

(i) to expose illegal activity carried out by a public official or a person acting in an official capacity, or

(ii) to obtain, exercise, defend or promote human rights and fundamental freedoms, or

(b) the conduct otherwise involves the cruel, inhuman or degrading treatment or punishment of such a person.

(5C) The second condition is that the conduct is carried out in consequence of that person having sought to do anything falling within subsection (2)(a)(i) or (ii).

(5D) The third condition is that the conduct is carried out—

(a) by a public official, or a person acting in an official capacity, in the performance or purported performance of his or her official duties, or

(b) by a person not falling within paragraph (a) at the instigation or with the consent or acquiescence—

(i) of a public official, or

(ii) of a person acting in an official capacity, who in instigating the conduct, or in consenting to or acquiescing in it, is acting in the performance or purported performance of his or her official duties.

(5E) Conduct that involves the intentional infliction of severe pain or suffering on another person is conduct that constitutes torture for the purposes of subsection (3)(a).

(5F) It is immaterial whether the pain or suffering is physical or mental and whether it is caused by an act or omission”.

This amendment, which is consequential on Amendment 32, would define what constitutes the commission of a gross human rights abuse or violation. The commission of a gross human rights abuse or violation would include the torture of a person who had sought to expose the illegal activity of a public official, or the torture of a person who had sought to defend human rights or fundamental freedoms, by a public official or a person acting in an official capacity.

Government amendments 13 to 17.

Amendment 20, in clause 56, page 43, line 7, after first “1”, insert

“; section (Public registers of beneficial ownership of companies registered in British Overseas Territories)“.

This amendment is consequential on NC6.

Government amendment 18.

Amendment 31, in title, line 5 after “objectives”, insert

“or to further accountability for, or act as a deterrent to, the commission of a gross human rights abuse or violation”.

This amendment to the long title would be consequential on Amendment 32.

Sir Alan Duncan: This group contains new clauses and amendments regarding three related issues that I will discuss in turn: imposing sanctions for gross human rights violations, or what is now popularly known as the Magnitsky amendment; Scottish limited partnerships, which are of deep concern, particularly for the Scottish National party; and public registers of beneficial ownership in the overseas territories. In two of those areas, the Government are taking action to tackle abuses and tighten up standards: through Government amendments on Magnitsky and through a consultation document on Scottish limited partnerships.

Alison Thewliss (Glasgow Central) (SNP): Will the Minister give way on that point?
Chris Bryant (Rhondda) (Lab): I am truly grateful for everything that the Minister and all those he has referred to have done in relation to the Sergei Magnitsky amendment. It is obviously important that he has captured the consensus of the House, but it is even more important that we capture all those, in particular those from Russia, who have come to this country and used it for money laundering purposes and for hiding their assets. Is he confident that we will be able to do that as a result of this legislation?

Sir Alan Duncan: I am confident of that, as I will explain further in a moment.

As is traditional on Report, it is important that I explain what the amendments do, if ever so briefly. Amendment 10 relates specifically to putting gross human rights abuses on the face of the Bill as a basis on which sanctions may be imposed. Amendments 11, 12, 14, 15, 16 and 17 are consequential to that, introducing technical changes that will follow. Amendment 13 links the definition of a gross violation of human rights to the existing definition in the Proceeds of Crime Act 2002, so that it includes the torture of a person by a public official or a person in an official capacity, where the tortured person has sought to expose the illegal activity of a public official or to defend human rights or fundamental freedoms. That will ensure that all gross human rights abuses or violations are explicitly captured.

Toby Perkins (Chesterfield) (Lab): The Minister will not be surprised to know that I fully support the Government in bringing this change forward, as I am sure all Labour Members do, given that we have been asking for it for some time. On the subject of sanctions, will the Government publish the names of those who have been sanctioned under the Bill, notwithstanding what subsection (2) of new clause 3 says about not risking damage to “national security or international relations”?

Sir Alan Duncan: There is an obligation to report, which I will come to in a minute. I would be happy to explain the exact details to the hon. Gentleman, although of course they are still being devised on the back of the obligations laid down in the Bill.

New clause 3 requires reports to be made—this relates to the question that the hon. Gentleman has just asked—about the use of the power to make sanctions regulations, including the specifying of any recommendations made by a parliamentary Committee on the use of that power and the Government’s response. It is right and proper that an independent review of the powers should be carried out by Parliament. This is a strong set of measures to address the Government’s approach to imposing sanctions for human rights abuses, and I would like to put it on record again that the Government are committed to promoting and strengthening universal human rights and holding to account states and individuals who are responsible for the most serious violations.

Jo Swinson (East Dunbartonshire) (LD): Will the Minister outline how he envisages such a parliamentary review operating? Will it be done through specific Committees, or on the Floor of the House? Will we be able to have confidence that that procedure is robust enough to ensure that the review is appropriate?

Sir Alan Duncan: The hon. Lady is a Member of the legislature. I will not say, “Long may that continue”, but it might. It is therefore inappropriate for us to determine in primary legislation exactly how the House should go about its formal and the legislature, even though the Executive are drawn from the legislature. We, as Ministers, are the Executive. The hon. Lady is a Member of the legislature. I will not say, “Long may that continue”, but it might. It is therefore inappropriate for us to determine in primary legislation exactly how the House should go about its business. That is for the House itself to decide. We believe that we have included in the Bill the proper impetus for the House to be able to structure itself as it wishes—through the Joint Committee on Human Rights or the Foreign Affairs Committee, for example—while saying in advance that we as the Executive will have an obligation to report back and respond to any such independent activity.

Stephen Kinnock (Aberavon) (Lab): Along with other colleagues, I absolutely share the objectives of the Magnitsky provisions. I have been in touch with Bill Browder, for
whom Sergei Magnitsky worked at the time of his brutal murder by the Russian authorities, and Mr Browder has made it absolutely clear to me that if this does not lead to the full publication of the names of the people who are being sanctioned and to absolute clarity on the nature of the independent review that has just been mentioned, the Bill will have failed in its objectives. It is important that the Minister understands what Mr Bill Browder is saying on this matter.

Sir Alan Duncan: I can say that any person sanctioned under this Bill will have their name published on an administrative list, which will be publicly available. I hope that that will reassure the hon. Gentleman, the House and all those interested in this issue.

1.45 pm

John Penrose (Wesport-super-Mare) (Con): I was about to ask the same question, and the answer that the Minister has just given will be enormously reassuring to many of us, particularly because the thing that many of these kleptocrats and organised criminals really fear is the glare of public disclosure.

Sir Alan Duncan: I hope that I will be able to continue to address the House with similar such effect this afternoon.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I doubt that there is anyone in this House who does not want the overseas territories and Crown dependencies to have open, public registers of company interests. If new clause 6, tabled by my right hon. Friend the Member for Sutton Coldfield (Andrew Mitchell) does not pass, how will the House be able to have confidence that the Executive will make sufficient progress as though we had compelled them to issue Orders in Council?

Sir Alan Duncan: I will be saying more about the overseas territories in a moment. I fully recognise the interest that my hon. Friend has shown, over many years, in the importance of protecting the interests of the overseas territories, particularly in the Caribbean. I will be able to give him deeper reassurance on this in a moment, but if I may, I will continue with my points in the order that I was planning to make them, by addressing the Magnitsky issue first, then Scottish limited partnerships, before turning to that rather more vexed issue.

Looking at the Scottish National party Benches, I turn to the separate amendments on Magnitsky tabled by the hon. Member for Glasgow Central (Alison Thewliss). While we agree with the driving principles behind the amendments, we are satisfied that the package of amendments that we have tabled—which have been signed by Members on both Front Benches—sufficiently cover the same objectives. I hope that the hon. Lady will feel that they do. As she knows from our discussions in Committee, we have approached this entire issue in a spirit of cross-party co-operation. Indeed, she has played an important part in that in her campaigning.

Alison Thewliss: I should like to take this opportunity to say that, having heard what the Minister has said on this matter and others, I am content not to press my amendments relating to Magnitsky.

Sir Alan Duncan: I am grateful to the hon. Lady. I am hoping for a similar response on other parts of the Bill as I proceed gingerly through the new clauses and amendments that we are discussing today. I hope that, when I proceed gingerly, no one can see that I am here at all.

Opposition amendments 31 and 32 would insert a purpose into the Bill to allow sanctions regulations to be made for the purpose of preventing, or ensuring accountability for, a gross human rights abuse or violation. As the hon. Lady has already suggested, however, our amendment 10 would add a similar purpose, so I sense that we have found common ground here. Also, just to make the record clear, Opposition amendment 33 would define what constitutes a gross human rights abuse or violation on the face of the Bill. Government amendment 13 provides a similar function through reference to a definition already existing in other legislation, as I have just explained, which is preferable for maintaining a tidy statute book. I therefore hope that our amendments meet the goals of the hon. Lady’s amendments. I sense that they do.

Setting aside a technical assessment of the Bill, I think that, on Magnitsky, we have got there. This is a very important moment for the House, and for the defence of human rights that the United Kingdom is always proud to show. All parties have come together to find consensus on ensuring that the proper legislative powers are in place to address gross violations of human rights. That is a matter of deep concern to Members on both sides of the House, to many people outside and internationally. If the amendments are agreed to today, as I am sure they will be, we can truly say that we have spoken together, united in favour of human rights, and that the voice of the United Kingdom sits alongside other countries that have adopted such legislation, and we can score it as a great achievement of which we can all be proud. Once again, I pay tribute to those who have so relentlessly and persistently campaigned for it. It is not just a triumph for the House; it is a personal triumph for them. In saying that, I look once again to my right hon. Friend for Newbury in particular.

Turning to Scottish limited partnerships, we recognise the concerns that have been raised, and I assure the House that the Government are committed to making further progress. SLPs and other forms of limited partnership play a vital role in the asset management sector for the funding of asset-based contribution pension schemes and for oil and gas exploration, which matters enormously to Scotland. That makes it all the more important not just that their legitimate use is supported, but that legitimate action is taken to prevent their misuse. As hon. Members will be aware, the past decade has seen a vast increase in the number of SLPs, with the growth rate far outstripping that of the number of limited partnerships established in the rest of the UK, and we recognise the concern that SLPs are being used inappropriately. Following clear evidence of certain SLPs being misused, the Government brought them within the scope of our register of beneficial ownership. Since then, the rate of new SLP registration has declined by approximately 80%, but we recognise that more needs to be done.

Yesterday, the Department for Business, Energy and Industrial Strategy published a consultation document on limited partnership reform following its call for evidence...
last year. The document sets out clear options for reform. The Government propose that all those registering a limited partnership would need to be registered with an anti-money laundering supervisor. They would need to carry out due diligence before establishment, with the possibility of supervisory action. That due diligence will necessarily include identifying the beneficial owners of the SLP, including its general and limited partners when they exercise control over the SLP. That addresses the substantial purpose behind new clause 19, which would require at least one of both the general and limited partners in an SLP to have an active UK bank account, and so require that they will have been subject to due diligence for anti-money laundering purposes.

Such measures would address the substantial purpose behind the new clauses on the subject. We are further consulting on how best to require limited partnerships to retain a physical presence in the UK to ensure that there is a UK link against which any necessary enforcement proceedings can be taken. Additionally, the Department for Business, Energy and Industrial Strategy is seeking views on whether all limited partnerships should be required to file an annual confirmation statement with Companies House. Taken together, the proposals would tighten the checks on SLPs, ensure that they retain a UK presence and expose more details about their workings to public scrutiny. They would not disproportionately burden limited partnerships that operate entirely lawfully, but they would go further in reducing their potential for illicit misuse.

New clause 1 would require that, where a Scottish limited partnership has general and limited partners, at least one of each must be a British citizen. That would have the unintended side effect of disrupting the legitimate uses of corporate partners within sectors, including the venture capital sector. The Government consider that the measures on which the Department for Business, Energy and Industrial Strategy is consulting will do more to bring transparency to limited partnerships and to prevent them from being misused, without damaging their legitimate usage. The Department’s consultation will be open until 23 July, and I encourage all interested Members to continue engaging with the process of reforming partnership structures. Given the work that the Department is leading, and the Government’s clear plan to continue reforming limited partnerships, I respectfully ask that hon. Members do not move their respective amendments in this area and that they work hard with us to ensure that we can produce an outcome with which they are fully satisfied.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Minister mentioned increasing the regulation of SLPs, but a regulation from last year meant that SLPs had to register their beneficial ownership within 28 days or face a £500 daily fine. Only 43% of them have provided that information, meaning that £2.2 billion in backdated fines has accrued. When does the Minister intend to collect that money and enforce the regulations backdated fines has accrued. When does the Minister provide that information, meaning that £2.2 billion in

Sir Alan Duncan: It sounds as though the hon. Gentleman is going to make a robust submission to the consultation, and I urge him to do so, because I fully take the point that if something can be required but it does not work operationally, then obviously it will not be delivered. I urge him to record what he believes are the facts and submit them to the consultation.

I express my gratitude to Members who have tirelessly continued to raise their concerns on the issue of SLPs—I can spot one from where I am standing—and I hope that what I have said today, and the content of the consultation published yesterday, provides reassurance that the Government are genuinely committed to reform in this area.

Turning to beneficial ownership in the overseas territories, as the House will now appreciate, the Government’s plan for tackling the issue had been to table a new clause, which we did, that sought unity in the House, which I believe we had a good chance of securing. The new clause sought to enhance the measures on beneficial ownership in the overseas territories but stopped short of legislating for them, thus avoiding constitutional conflict. As Members will be aware, however, some amendments were not selected today, and we of course fully respect the procedural basis on which Mr Speaker chose not to select them.

New clause 6, tabled by my right hon. Friend the Member for Sutton Coldfield and the right hon. Member for Barking (Dame Margaret Hodge), would put a duty on the Government to work with the overseas territories to set up public registers of company beneficial ownership by 31 December 2020. If they do not do so, the new clause would require the Secretary of State to prepare a draft Order in Council, aiming to legislate directly. Opposition new clause 14 would require the Secretary of State to provide all reasonable assistance to the Governments of the Crown dependencies to enable them to establish a public register of company beneficial ownership, and if, by the implementation of the European Union’s fifth anti-money laundering directive, they have not, the new clause would require the Secretary of State to take all reasonable steps to ensure that the Privy Council legislates to require each Crown dependency to do so.

The UK has strongly supported co-ordinated international action to promote beneficial ownership transparency. The UK was the first G20 country to establish a public register of company beneficial ownership and has committed to creating a new beneficial ownership register for overseas companies. At EU level, the UK went beyond the requirements of the fourth anti-money laundering directive in establishing a public register and supported the inclusion in the fifth anti-money laundering directive of a provision that will require all EU member states to have legislation in place to support publicly accessible registers by the end of 2019.

We are also committed to seeing the overseas territories and Crown dependencies take further action, and they have already made significant progress through consensual joint action. We are grateful, and we respect all the work they have done in this area. All Crown dependencies have central registers in place. Of the seven overseas territories with significant financial centres, four already have central registers or similarly effective arrangements. They are able to provide UK law enforcement authorities, on request, with access to such information, even at very short notice—it can be within 24 hours, or even within one hour in urgent cases.

2 pm

Ms Angela Eagle (Wallasey) (Lab): Will the Minister give way?

Sir Alan Duncan: I will give way only briefly.
Ms Eagle: I thank the right hon. Gentleman for his generosity in giving way. Does he agree that, although this is progress, it will be effective only if we have the light of transparency and these registers are available publicly, and not just to law enforcement authorities?

Sir Alan Duncan: I can answer with an unequivocal yes. That is a shared objective on both sides of the House. The only thing on which we have different opinions is the manner in which we get there. The objective is clear. The arguments are very finely balanced, and the hon. Lady may want to listen carefully to what I am about to say. We recognise the need to tackle illicit finances across the globe, including in the Crown dependencies and overseas territories. We are concerned, however, that the economic impact of imposing public registers on the overseas territories will be significant.

Furthermore, the overseas territories are separate jurisdictions, with their own democratically elected Governments. They are responsible for their own fiscal matters, and they are not represented in this Parliament. Legislating for them without their consent effectively disenfranchises their elected representatives. We would have preferred to work consensually with the overseas territories to make those registers publicly available, as we have done in agreeing the exchange of notes process.

Sandy Martin (Ipswich) (Lab): Will the Minister give way?

Sir Alan Duncan: No, not for the moment.

We do not want to legislate directly for the overseas territories, nor do we want to risk damaging our long-standing constitutional arrangements, which respect their autonomy. However, we have listened to the strength of feeling in the House on this issue and accept that it is, without a doubt, the majority view of this House that the overseas territories should have public registers ahead of their becoming the international standard, as set by the Financial Action Task Force.

We will accordingly respect the will of the House and not vote against new clause 6. Unless my right hon. Friend the Member for Sutton Coldfield chooses not to press the new clause, we accept that it will become part of the Bill. In the same spirit, I would appreciate it if the hon. Member for Bishop Auckland chose not to press new clause 14, which would add the Crown dependencies to that stipulation.

Her Majesty’s Government are acutely conscious of the sensitivities in the overseas territories and of the response that new clause 6 may provoke. I therefore give the overseas territories the fullest possible assurance that we will work very closely with them in shaping and implementing the Order in Council that the Bill may require. To that end, we will offer the fullest possible legal and logistical support that they might ask of us. Alongside that, we retain our fullest respect for the overseas territories and their constitutional rights, and we will work with them to protect their interests.

Helen Goodman (Bishop Auckland) (Lab): I am pleased to have the opportunity to take part in the debates on Report of this important Bill. I will follow the same order as the Minister in discussing the amendments.

I took the rather unusual step of signing the Government’s Magnitsky amendments, new clause 3 and amendments 10 to 13, so this House can present a united voice to the whole world in expressing our abhorrence for gross human rights abuses and our determination to tackle them together.

I thank the right hon. Member for Newbury (Richard Benyon) and my hon. Friends the Members for Rhondda (Chris Bryant) and for Dudley North (Ian Austin)—the latter is not in the Chamber at the moment—all of whom have campaigned on this issue for a long time. Her Majesty’s Opposition believe that human rights should be at the centre of foreign policy. The only way gross human rights abuses will stop is if those who perpetrate them, order them and facilitate them are brought personally to account. They must pay the price.

Sanctions against individuals for gross human rights abuses were originally conceived as a response to the terrible treatment of Sergei Magnitsky, but we believe there is a wider problem. We note, for example, that the United States has sanctioned Maung Maung Soe, one of the generals responsible for the ethnic cleansing of the Rohingya in Myanmar.

Last year, the Criminal Finances Act 2017 enabled the Government to freeze the assets of people responsible for such crimes, and this Bill will enable us to ban visas and prevent such people traveling here. The only question is why it took so long for the Government to come round to seeing the importance of this measure.

We introduced so-called Magnitsky amendments in Committee that would have given us the same ability as Canada and the United States to implement targeted sanctions. Unfortunately, the Government initially did all they could to reject our amendments. They rejected them in principle on Second Reading; they reordered the consideration of the Bill; they suspended the Committee; and then they downright voted against the amendments. After the Salisbury incident on 4 March, the Prime Minister announced a complete U-turn. We are pleased the Government have seen the light, but it is unfortunate that it took such a tragic event for them to change their mind.

I am pleased to offer the support of Her Majesty’s Opposition to new clause 6, tabled by my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) on putting together a fantastic coalition of support for this change.

We believe the time to act has come. In 2014, David Cameron wrote to the British overseas territories recommending that they introduce public registers—the UK introduced a public register in 2016—and new clause 6 sets out a timetable for them to do so by 2020. Money laundering through London is estimated by the National Crime Agency to total £90 billion, and it is facilitated by the secret ownership of companies allowed in tax havens. Unfortunately, the British overseas territories and Crown dependencies are major actors. They enable the corrupt to live in comfort on their ill-gotten gains and facilitate tax avoidance and evasion on a spectacular scale. The UK is estimated to lose £18.5 billion each year. I am only surprised that the Chancellor of the Exchequer did not also sign new clause 6.
The poorest countries in the world are estimated by the United Nations to lose £100 billion a year through these tax havens, which dwarfs any aid flows we supply. That is another reason why new clause 6 is very much to be welcomed.

The scope for hiding large funds facilitates serious international crimes: drug dealing, people trafficking, sanctions busting, illegal arms sales and terrorism. Over and again, the names of the British overseas territories and Crown dependencies come up when these crimes are finally uncovered.

James Duddridge (Rochford and Southend East) (Con): Clearly, it is important to remember that this is not just an overseas territories issue but a global one. Is the hon. Lady worried that this legislation will just displace all the activity to states such as Delaware, which do not have this transparency, and we will not gain any of the real benefits?

Helen Goodman: Of course the hon. Gentleman raises a worry, which has been expressed. My right hon. Friend the Member for Islington South and Finsbury (Emily Thornberry) and I were in the United States a fortnight ago, when we met several members of the US Congress who are keen to crack down on Delaware, Nebraska and the other states there. Leading by example, which is what the last Administration did, is a way to make progress on this issue. I will come back to the international links later in my speech.

Mr Geoffrey Cox (Torridge and West Devon) (Con): What does the hon. Lady say to them?

Helen Goodman: My understanding is that the position on the British overseas territories, as set out by a White Paper when the hon. Member for North West Norfolk (Sir Henry Bellingham) was a Foreign Office Minister, is that it is appropriate for this House to legislate for the Cayman Islands and the overseas territories if it is considered necessary. Given the long list of crimes, which I have just read out to the House, that are facilitated, it can be argued completely that when we are making changes in this respect, this is an international, foreign policy issue, as that is what we are talking about; we are talking about the financing of international crime and of terrorism. This is not like trying to intervene in street lighting or purely local matters. It simply has a completely different import for the world.

Robert Neill (Bromley and Chislehurst) (Con): I understand the point the hon. Lady is making, and, as a lawyer, I very much appreciate the importance of the international fight against crime and money laundering, but will she concede that at least some overseas territories take their obligations very seriously? For example, Gibraltar, which is part of the EU as well, has already publicly accepted that it will transpose the fifth anti-money laundering directive, which includes a public register of beneficial ownership, into place by December 2019? In a sense, such places do not need to be legislated for, because they are willing to do this. It is important to be proportionate in our approach, is it not?

Helen Goodman: Of course what the hon. Gentleman says about the fifth anti-money laundering directive is right, in so far as it does put obligations on Gibraltar. That was why I have linked new clause 14 to the fifth anti-money laundering directive, because clearly it is easier, in terms of international competitiveness, for many jurisdictions to move together.

Sir Henry Bellingham (North West Norfolk) (Con): The hon. Lady mentioned the 2012 White Paper on the overseas territories, in which we said that in extreme cases we would legislate on such matters but that we would always try to build consensus first, because of our great respect for the constitutions of those territories. I plan to make a few remarks about that, but given the Government’s announcement today, will she confirm that she will not press new clause 14, which would extend new clause 6 to the Crown dependencies?

Helen Goodman: I will come on to that at the end of my speech.

I was explaining that these crimes are significant and that we see money being laundered in the UK, and I wanted to give the example of Mr Temerko, who was once a senior figure in Russia’s defence industry and who rose to become a key player in the Russian oil giant Yukos. His engineering company, Offshore Group Newcastle Ltd, had a large site up in Hadrian’s yard in Newcastle, where it was doing some energy work. The company won a grant from the Government’s regional growth fund in 2013, but it later went into administration and the work in the north-east was left unfinished. OGN Ltd is owned by a parent company based in the secrecy jurisdiction of the British Virgin Islands. Clearly, the effects of the lack of transparency are not felt solely in London; they are felt across the United Kingdom.

As I have said, I acknowledge that progress has been made, in so far as registers of beneficial ownership or “similarly effective systems” have been set up, but these are not transparent.

Mr Jim Cunningham (Coventry South) (Lab): After the incident in Salisbury, I was led to understand that the Government were cracking down on money laundering in this country, particularly in respect of these Russian oligarchs. Does my hon. Friend not agree that the Government should pursue this a lot further than they have been doing?

Helen Goodman: I certainly agree with that. Obviously, the law enforcement agencies—the National Crime Agency, the police and the Serious Fraud Office—need more resources. They would then be in a better position to crack down on this money laundering.

The purpose of transparency is not for the entertainment and titillation of the curious; it is to facilitate the authorities’ ability to track down illicit flows, because they can see the connections and links. This effectiveness of transparency was demonstrated by the fact that the Panama and Paradise leaks enabled Her Majesty’s Revenue...
and Customs to open civil and criminal investigations into 66 people, to pursue arrests for a £125 million fraud, to tackle insider trading and to place dozens of high net worth individuals under review.

I am extremely pleased that the Minister said what he did about not opposing new clause 6, which stands in the name of my right hon. Friend. Friend the Member for Barking. I welcome his change of heart on that. He has, in the written ministerial statement he produced this morning, bigged up the role of the Financial Action Task Force, and I was a bit surprised by that, as the FATF is a rather unsatisfactory forum. It is an intergovernmental body with no legal personality or explicit formal authority under international law and no enforcement powers. It has 37 members, which include Russia, China and the Gulf Co-operation Council. Foreign Office Ministers have been eloquent in recent months in saying that the United Nations Security Council is ineffective in upholding international law because of the Russian veto, yet here, when we want to tackle the financing of major crimes and terrorism, they seem content to hand over their moral compass to the Russians. The FATF is also highly secretive: in answer to my questions, Ministers have refused to publish future agendas or papers for discussion. Even the UK does not always ensure its FATF representative has a thorough-going commitment to reform—for years it was a person who had his family money in a secret Bahamas trust. So I will be very pleased if the House can unite behind new clause 6 this afternoon.

I turn now to new clause 14, which would require public registers in the Crown dependencies. The case in principle for acting to improve transparency in the Crown dependencies—the Channel Islands and the Isle of Man—is substantively the same: their secret ownership arrangements facilitate both money laundering and tax evasion.

Gavin Robinson (Belfast East) (DUP): The hon. Lady will have heard what the Minister said in his speech about the response that the Isle of Man and other Crown dependencies are able to give within hours, whenever a request is made for information that falls within a terrorist category. Does she accept that the Crown dependencies forthrightly, earnestly and efficiently provide information to our law enforcement agencies within hours, when it is requested?

Helen Goodman: The hon. Gentleman makes the same point about the Crown dependencies as other Members have made about the British overseas territories. The current situation is as he describes it—if the law enforcement agencies want information and ask for it, the authorities in the relevant jurisdictions give it to them—but the problem is that, to crack down on serious and organised crime, it is really useful to see the whole picture, and we can see the whole picture only if we have all the information. That is the point of transparency and that is the lesson from the Panama and Paradise papers.

Liam Byrne (Birmingham, Hodge Hill) (Lab): My hon. Friend is making a brilliant speech. Have we not learned that dark money will move to wherever the law is darkest? If we bring transparency to the overseas territories, most of the money is simply going to be relocated to the Crown dependencies, unless we change the law to cover them, too.

Helen Goodman: That point was made to me by the Minister and his officials when we discussed the Bill, and my right hon. Friend is absolutely right that, because we are making changes in respect of the overseas territories, we need to make changes in respect of the Crown dependencies.

Ms Angela Eagle: My hon. Friend is making an extremely good speech. Does she agree that the time for secrecy in all these jurisdictions is now over? We need transparency so that we can minimise the abuse—whether tax evasion, tax avoidance, or the laundering of criminal money—that is becoming more and more of a feature in these jurisdictions. Does my hon. Friend agree that once we have our own house in order, we can then campaign internationally to close down all tax havens?

Helen Goodman: My hon. Friend has succinctly made my whole case for me. She is absolutely right. Those people who think that the situation in the Crown dependencies is not as serious as that in the British overseas territories need only to remember the 957 helicopters that were registered on the Isle of Man to avoid VAT.

Several hon. Members rose—

Helen Goodman: I shall make a little more progress, because many Members want to speak.

I have linked new clause 14 to the fifth anti-money laundering directive, so that we would see a number of jurisdictions moving together. I am pleased that the Government have accepted the secrecy jurisdictions and that we have a role with respect to the overseas territories, but we need an effective path to bring change according to a timetable, within the current Parliament, and new clause 6 tabled by my right hon. Friend the Member for Barking would provide that. I will not press new clause 14 to a vote—I was not going to press it in any case—because I think we can reach an agreement on how to proceed on these matters.

Dame Margaret Hodge (Barking) (Lab): Let me start by saying how grateful I am to all right hon. and hon. Members from all parties who support new clause 6. I am particularly grateful to the right hon. Member for Sutton Coldfield (Mr Mitchell), who has worked with me on this important issue and shown his particular skills and experience as a former Government Chief Whip.

The fact that the new clause commands such wide support throughout the House speaks volumes for what it says. Our proposal is right in principle and will be effective in practice. When it is passed—I am grateful to the Minister for conceding that the Government will not oppose it—this simple measure to require British overseas territories, our tax havens, to publish public registers of beneficial ownership will transform the landscape that allows tax avoiders, tax evaders, kleptocrats, criminals, gangs involved in organised crime, money launderers or those wanting to fund terrorism to operate. It will stop them exploiting our secret regime, hiding their toxic wealth and laundering money into the legitimate system, often for nefarious purposes.
Transparency is a powerful tool. With open registers, we will know who owns what and where and will be able to see where the money flows. We will thereby be better equipped to root out dirty money and deal with the related issues, and we will be better able to prevent others from using secretive jurisdictions to hide their ill-gotten gains.

Sammy Wilson (East Antrim) (DUP): Does the right hon. Lady accept that open registers are not the panacea that she is describing? Indeed, the UK currently has open registers, but the name and address of an 85-year-old was used fraudulently to register 25,800 companies, without anyone discovering that fraud.

Dame Margaret Hodge: Open registers are an essential tool. They are necessary, but they are not sufficient. We also need a strong regulatory framework for the establishment of companies and strong policing arrangements to ensure that the regulations are implemented.

Toby Perkins: My right hon. Friend is absolutely right to pay tribute to Members from all parties, including the Conservative Members who bravely supported her even when the Government attempted to buy them off. On behalf of many Members from different parties, may I say how grateful we are for the tenacity that she has shown and the excellence with which she has pursued this campaign? It shows Parliament in a good light, and the measures that the House is set to approve will do a great deal of good.

Dame Margaret Hodge: I thank my hon. Friend for his kind words, but it really has been a team effort, with people from throughout the House and across all the political tribes.

New clause 6 would simply put into legislation proposals that David Cameron first articulated in 2013, when he spoke about ripping aside the “cloak of secrecy” and repeated the well-known mantra, “sunlight is the best disinfectant”. It would do no more and no less than fulfil the commitment made by the then Prime Minister five years ago.

Britain sits at the hub of the world’s largest network of secretive jurisdictions, and British tax havens are central to the movement of illicit moneys around the world. The secrecy under which they currently operate facilitates wrongdoing on an industrial scale. We have a weak regulatory regime, some of which was enacted by the previous Labour Government and needs reform, and sadly we have lax policing of our system. Couple that with the secrecy that prevails, and Britain and our overseas territories have increasingly become the most attractive destination for crooks, kleptocrats and corrupt individuals who engage in financial skulduggery. If we do not accept new clause 6, we will be in danger of sacrificing our traditional reputation as a reliable jurisdiction by our failure to challenge the secrecy.

Liam Byrne: I very much echo the sentiments of my hon. Friend the Member for Chesterfield (Toby Perkins). Does my right hon. Friend agree that it is impossible for us to get unexplained wealth orders to work unless we put in place registers not only for our countries and the overseas dependencies, but for the Crown dependencies, too?

Dame Margaret Hodge: I entirely concur with my right hon. Friend’s important point.

Let me take Members through the argument, because it is important that we understand what we are dealing with. First, on the scale of the problem we are tackling, the National Crime Agency reckons that around £90 billion a year is laundered through the UK. We know that developing countries lose three times as much in tax avoidance as they get in all the international aid that is available to them. Half the entities cited in the Panama papers were corporations registered in just one of our overseas territories: the British Virgin Islands. We know that, in the past 10 years, £68 billion has flowed out of Russia into our overseas territories. That is seven times more going to the overseas territories than has come to Britain. We know that there are 85,000 properties here in the UK that are owned by companies registered in our tax havens, half of which are in just two constituencies in London, and a sample survey done by Transparency International suggests that two out of five of those properties have Russian owners.

2.30 pm

Tax avoidance and financial crime are not trivial irritants. The problem is widespread and it is corrosive. If we fail to act, we are complicit in facilitating the very corruption that this Government and this Prime Minister have told us that they are determined to tackle. Let me say that “if we want to break the business model of stealing money and hiding it in places where it can’t be seen: transparency is the answer.”

Those are not my words; they are the words of the former Prime Minister, David Cameron, in September 2015.

I shall deal briefly with the arguments that have been put forward by some in opposition to our proposal. Some say that we should not legislate on these issues for our overseas territories. I agree that it would be far, far better for all of us if those overseas territories willingly enacted public registers, but we have now had five years, and it is clear that they will not act without real pressure from us. Our new clause gives them a further three years—until the end of 2020—to adjust to a transparent regime. Of course, we should provide all the support and assistance they require to modify their economies to the new environment.

The present practice is unsustainable. The fifth money laundering directive from the EU will bring in public registers across the EU by the end of 2019. As the hon. Member for Bromley and Chislehurst (Robert Neill) said earlier, that will mean that Gibraltar will act before the implications of this Bill are felt in 2020. Countries across the world—from Nigeria to Afghanistan—are now beginning to commit to public registers, so this is flowing with the tide of practice across the world. We should be showing leadership on this, not trying to be the last man, or the last woman, standing against what is morally right.

Chris Bryant: So far, we have been talking about public registers of beneficial ownership of companies. Does my right hon. Friend accept that this should also apply to beneficial ownership of trusts? It seems incomprehensible to me that we in this country should keep the trusts quite separate and quite hidden.

Dame Margaret Hodge: I completely concur with the point made so forcefully by my hon. Friend. No doubt that will be subject to further campaigns for a change in legislation over the coming period.
Mr Kenneth Clarke (Rushcliffe) (Con): The right hon. Lady has conceded that we use with reluctance our undoubted power to exercise our jurisdiction in these territories and she has given the very important areas in which this House has already done that. Does she accept that, when such vast sums of dishonest money are being channelled through the territories, and when such obviously little progress is being made in many of them to deal with the matter, that is a situation that justifies our jurisdiction? As the Cayman Islands have a rather better record than some of the other British overseas territories—they do co-operate very closely with our law authorities, as the dependent territories do—it is open to their Government to consider the matter and act on their own accord given the steer that this House is giving to them.

Dame Margaret Hodge: Absolutely. That is why the Magnitsky amendment, which we have just passed, is absolutely central to our proceedings and legislation on anti-money laundering.

Hannah Bardell (Livingston) (SNP): I thank the right hon. Lady for giving way and I congratulate her on this excellent cross-party consensus. Is she not concerned that the hon. and learned Member for Torridge and West Devon (Mr Cox) seems more concerned about a promise made to the Cayman Islands than about the people of his own constituency and of the UK who are suffering as a result of corruption and money laundering? Does that not seem odd?

Dame Margaret Hodge: The truth is that the traffic in illicit money has an impact not just on people here in the UK—for example, through the acquisition of properties here—but worldwide. We see that in the losses in tax revenues, particularly to the poorest developing countries.

Mr Cox: Will the right hon. Lady give way?

Dame Margaret Hodge: I do not think that the hon. and learned Gentleman and I are going to agree. I am going to make some progress because I know that other Members wish to say certain things.

Openness and transparency do not stop the overseas territories from choosing to try to compete on tax. Although I would not approve, they can all set a corporation tax rate of zero. If they believe that that is a way of attracting financial services into their countries, they are free to do so. We are asking for openness and not much more. I do agree with their argument that our registers need to be improved, but that is not an either/or; it is a both/and. We need both to improve our registers and ensure transparency in our overseas territories. To those who argue that the money will transfer to other tax havens, I say this: there may well be some leakage, but our tax havens play a disproportionately large role in...
the secret world that makes tax havens. If we lance that boil, it will be far easier for us to secure transparency elsewhere and much harder for other tax havens to sustain their business models.

Our campaign on transparency is not and has never been partisan. My party believes passionately that transparency is vital in the battle against financial crime and money laundering, but all Members of this House—from all the political tribes—share our determination to eliminate the wrongdoing that inevitably springs from the secrecy that pervades our tax havens. We cannot sit here and ignore the practices that allow Britain and our British overseas territories to provide safe havens for dirty money. If we can act to root out the corruption, we must do so. Our proposal is simple but powerful. It is easy to implement but lethal in its effectiveness. It is not just legally possible; it is morally vital. Britain and our overseas territories will not get rich on dirty money. We must act now and new clause 6 is an important move in doing so. I ask the House to support it.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I draw the attention of the House to my declaration in the Register of Members’ Financial Interests.

Before I speak about new clause 6, I would like to thank my right hon. Friend the Minister for Europe and the Americas on two other issues, the first of which is the Magnitsky amendment, for which many of us made the case on Second Reading, especially with regard to a degree of independent input from the House into the visa banning and sanctions regime. No doubt aided by the dreadful events in Salisbury, we have all now got to the same place, and I am grateful to him and his colleagues for ensuring that that is the case today.

The second issue—I know from our time together at the Department for International Development that my right hon. Friend understands this well—is about trying to ensure that no unnecessary restrictions will stop money flows for humanitarian charities and non-governmental organisations that often operate with great bravery in extremely difficult and contested areas. I understand that very good progress has been made on that, and I hope that he will keep an open mind if there are future difficulties in that regard.

I turn to new clause 6. It has been a tremendous pleasure to work with so many colleagues from both sides of the House, and I am grateful to many of my own colleagues for standing firm in the face of considerable pressure. It has been a very pleasurable experience to work closely with the right hon. Member for Barking (Dame Margaret Hodge) over the past six months, and the House has clearly benefited hugely from her distinguished period as Chair of the Public Accounts Committee. I think that this is the fourth time that we have drawn back from agreeing to new clause 6. I cannot forbear to point out that this is evidence that, in a hung Parliament, power passes from one side to another. The House should focus on the figures mentioned by the right hon. Member for Barking: 85,000 properties in the UK are owned by companies incorporated in our tax havens, and half of those properties are in just two London boroughs. Some 40% are acquired with Russian money and bought through shell companies incorporated in our tax havens. Sunlight is the best disinfectant. Openness and transparency are the key to stamping this out. We are talking about the laundering of illicit money from modern day slavery and the sex trade; money from the proceeds of crime, terrorism and corruption; and money that is stolen from Africa and Africans by bent politicians, dictators and war lords.

Convincing research suggests that nearly £70 billion flowed out of Russia through our overseas territories between 2007 and 2016, as the right hon. Lady mentioned. That money supported projects in 24 developing countries. There is good as well, is there not? OPENNESS AND TRANSPARENCY ARE THE KEY TO STAMPING THIS OUT. WE ARE TALKING ABOUT THE LAUNDERING OF ILICIT MONEY FROM MODERN DAY SLAVERY AND THE SEX TRADE; MONEY FROM THE PROCEEDS OF CRIME, TERRORISM AND CORRUPTION; AND MONEY THAT IS STOLEN FROM AFRICA AND AFRICANS BY BENT POLITICIANS, DICTATORS AND WAR LORDS.

Dr Matthew Offord (Hendon) (Con): It is not just crooked money though, is it? The World Bank’s International Finance Corporation invested £400 million through Cayman-based investment vehicles in 2015 alone, and that money supported projects in 24 developing countries. There is good as well, is there not?

Mr Mitchell: Of course, and that is exactly the sort of fact that would be displayed by an open register. My hon. Friend makes my point for me. That is the sort of openness that we seek. We seek to expose the sort of money that I have outlined and that the right hon. Member for Barking so eloquently described.

David Cameron’s Government understood this clearly. He showed real leadership by insisting that what he called the “shroud of secrecy” must be ripped away in this fight against money laundering and tax evasion. If the House had drawn back from agreeing to new clause 6 today, it would have sent a terrible signal against what has previously been a really strong strand of global Britain. It would have been a huge relief to thieves and money launderers around the world that our tax havens would have remained open for business.

I turn to the four matters of concern to the overseas territories in the hope of reassuring them that the House is putting in place a practical measure that is not as serious as some of them seem to believe. The first concern is the belief that the measure will damage the overseas territories’ economies and destroy their income. No doubt the same arguments were used against the abolition of the slave trade. It is true that there may be some immediate but modest effect, but consider the...
[Mr Mitchell]
nature of much of the funding that the overseas territories are handling and that I and others have described. In fact, the economy of the British Virgin Islands, for example, may actually improve, because much of its business is professional, transparent and completely proper. In the past, I have myself invested in an international property fund in the BVI that was properly governed. In such cases, people from different jurisdictions can put funds in without a tax charge, but when they take funds out, they pay tax in the jurisdiction where they live. So it is perfectly possible, and in my view quite likely, that if open registers are fully implemented in a jurisdiction such as the BVI, some of the serious international financial organisations and banks will choose to go there, although they do not do so today.

Sir Henry Bellingham: I declare an interest as chairman of the all-party group for the British Virgin Islands. I sympathise, in many ways, with much of what my right hon. Friend is saying, but if there is a temporary hit to the BVI economy because of real difficulties in transitioning to the new arrangements that he has outlined, what help should the Foreign Office try to give to the BVI?

Mr Mitchell: I will come to that point in a moment, but I hope that my hon. Friend will extol to his friends in the BVI the fact that this is not something that they should regret and seek to avoid, but something that offers them real commercial and economic opportunities.

The second argument, as we have heard, is that the territories already have closed registers that are available to law enforcement authorities and HMRC which, in the case of terrorism, will react promptly—almost within an hour. That is of course true, but it completely misses the point. That point is made eloquently but passively by the Panama and Paradise papers: it is only by openness and scrutiny—that we can expose this dirty money and the people standing behind it, and the media to join up the dots—that we can expose the point. That point is made eloquently but passively.

Robert Neill: I understand my right hon. Friend’s desire to achieve this measure and recognise the work that he has done on it, but I want to follow on from the point made by my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham). The Government of Spain, for example, often use broad-brush terms such as “tax haven” against the law-abiding British territory of Gibraltar. Will my right hon. Friend extol the fact that Gibraltar has complied and continues to comply absolutely with all EU requirements? We do not help the overall cause by allowing British territories that comply with the rules to be tarred with the same brush as those that do not, as some people will use that against law-abiding British Gibraltarian citizens’ interests.

Mr Mitchell: My hon. Friend makes an extremely good point about Gibraltar. I have heard him speak about that subject in the House previously, and what he says is absolutely right. Last night, I received a three-page letter from the Chief Minister of Gibraltar. I was at a loss to understand why he felt that new clause 6 negatively affected him, since he has already committed, through the EU directive, to implement the whole of the new clause one year earlier than is specified. I therefore feel that the Chief Minister and my hon. Friend should be content with new clause 6.

Mr Kenneth Clarke: I entirely agree that the Government of Gibraltar achieve the standards described by my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), and I agree with my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) that as they are about to go further, the new clause does not affect them. I recall, however, that that was not always the case. Twenty or 30 years ago, persuading the then Government of Gibraltar that access to EU financial markets required an altogether higher standard of regulation and compliance was not an easy task, and we had to imply that we might take steps to exercise our powers unless something was done about it. That might be a useful precedent for the overseas territories in the Caribbean with regard to the step that the House is taking today.

Mr Mitchell: My right hon. and learned Friend the Father of the House, given his longevity and distinguished ministerial experience over many years, will be familiar with the points that are being made about Gibraltar and, indeed, about the importance of clamping down on money laundering.

Thirdly, the overseas territories pray in aid the prayer of St Augustine—“Oh Lord, make me chaste, but not yet”—and argue that all the hot money will go to the Dutch Antilles. But it is a little bit like the battle against malaria. We seek to narrow the footprint of that disease—in this case, of illicit money—to diminish the areas affected, and then eradicate it. Through this measure, we will significantly narrow the footprint of tainted money. We should bring the same vigour and determination to the fight against poisoned money as we do to the fight against deadly insects.

Huw Merriman (Bexhill and Battle) (Con): I worked as a repackaging lawyer who used to set up these companies around the globe—[Interruption.] For European investors, I hasten to add. I gently point out that it is very easy to set up a Delaware business trust, and as more moneys flow into Delaware business trusts, it may be difficult to persuade the American authorities to take the same steps as these, laudable as they are, because otherwise the trusts will be worth even more money to Delaware and the United States. Will my right hon. Friend consider that?

Mr Mitchell: My hon. Friend makes a good point about Delaware, but perhaps we should come to that on another occasion.

Chris Bryant: We should bear it in mind that the sanctions regime imposed by the United States of America ends up being far more aggressive, meaning it is far more difficult for Russian oligarchs to hide their money there. In fact, that has now had a significant impact on Oleg Deripaska’s holdings in this country.

Mr Mitchell: The hon. Gentleman speaks good sense. He, like me, will have been very pleased to hear from the Minister how the Magnitsky provisions will apply.

I come to the fourth and final argument that the overseas territories submit: the use of an Order in Council is over the top in this day and age; and using
the royal prerogative to legislate for the OTs by Order in Council is wrong. It is right that the House considers that argument, but our new clause does so by making an Order in Council a last resort to be used only if the overseas territories have not done what we have already done in the UK and introduced open registers by the end of 2020. Others have mentioned the precedents for using an Order in Council. This House and the Government are entirely entitled to use such a mechanism if necessary—they have done so, as the right hon. Member for Barking explained—but those signing and speaking to this new clause hope that it will not be necessary. In summary, the overseas territories share our Queen and travel under our flag, and they should also share our values.

In this new clause, the right hon. Lady and I have agreed to significant concessions that I hope the overseas territories and Crown dependencies will appreciate. First, there is the total exclusion of the Crown dependencies. The Lord Chancellor was most persuasive over the past week, and they do have a different governance structure. However, I believe that Parliament will expect Her Majesty's Government to make the point persuasively that we hope that the Crown dependencies will embrace the same ethical position and equal transparency, and accept that what is sauce for the goose is also sauce for the gander.

Secondly, while both the right hon. Lady and I believe that the overseas territories should take these steps now, the Foreign Secretary was eloquent in pleading the immense difficulties that have been caused to some of these economies by the hurricanes. That is why the right hon. Lady and I agreed that we would put the timescale back by some two and half years, to the end of 2020. I very much hope that the overseas territories will take note of that. We are trying to be helpful, within the confines of the principles that we have set out in the new clause.

Sandy Martin: Does the right hon. Gentleman agree that whatever the actual constitutional position, the British people regard the Isle of Man and the Channel Islands as part of this country and cannot understand why laws and regulations should be different in those places? Does he support my contention that the Government should work towards having the same levels of transparency and financial regulation in those Crown dependencies as are in place in England, Scotland, Wales and Northern Ireland?

Mr Mitchell: The hon. Gentleman has elaborated the point I have just made about how the House will expect the Crown dependencies to move towards the provisions set out in new clause 6 for overseas territories.

I urge all Members to support new clause 6. We must remember that the highly respected Africa Progress Panel has shown that in the Democratic Republic of the Congo, for example, at least £1.5 billion has disappeared in stolen funds and illicit money flows. As the World Bank has made clear, much of that money stolen from the people of Africa ends up in British overseas territories. The money stolen in that way dwarfs all the international development aid, development finance and foreign direct investment that flows into Africa every year. We owe it to the poor of Africa every bit as much as we owe it to our own taxpayers to support new clause 6 today and bring an end to this scandal.
would go a considerable way to cracking down on the abuse of SLPs, so we suggest that a limited partner and a general partner must both be British citizens and that a general and a limited partner must have a UK bank account. That would, at a stroke, remove a great deal of illegitimate SLPs, while protecting those in agriculture and other areas who would be easily able to fulfil those simple requirements. The anti-money laundering requirements of our banks would act as a degree of deterrent to those seeking to abuse the system.

On new clause 1, until 2009 registrants of limited partnerships were required under the Limited Partnerships Act 1907 to provide the full name of the partners. However, the Legislative Reform (Limited Partnerships) Order 2009 confirmed that the legally required level of registration disclosure needed to be less expansive. The new clause would restore the basic information requested at the time of registration and introduce a requirement for one of the general partners to be a British citizen.

New clause 19, on the UK bank account requirement, would tie this a bit more tightly. Although SLPs’ name and country of incorporation may give them the veneer of a UK-regulated entity, at the moment their bank account and all their financial transactions can be run through overseas bank accounts that have few, if any, anti-money laundering checks on their account holders. We want to tighten that up significantly, because allowing that kind of abuse could severely damage the credibility of UK legal entities abroad.

Helen Goodman: I am most grateful to the hon. Lady for giving way. I took so many interventions on overseas territories that I forgot to comment on new clauses 1 and 19. We think that both are very sensible, given the explosion in SLPs in recent years and the complete failure to act on what has happened in the past year. New clause 19 is particularly powerful because it would mean that these people were within the ambit of the anti-money laundering legislation for the banking system.

Alison Thewliss: I thank the hon. Lady for her support. I hope to at least press new clause 19 to a vote, because there needs to be some action on SLPs, and tying it to a bank account is a good way of doing that.

The SNP is extremely proud of Scotland’s reputation as a successful place to conduct business, but with SLPs continuing to generate new scandals, there is an ever-growing reputational risk to Scotland, and indeed the UK, if action is not taken. I would like to take this opportunity to dig the Government up for their shenanigans on SLPs.

Owing to the diligent campaigning by the former Member for Kirkcaldy and Cowdenbeath, Roger Mullin, the UK Government launched a consultation on SLPs on 16 January last year and closed it on 17 March last year. We then had an election, in which my dear friend did not get re-elected. We waited. Questions were tabled, and we were told again and again by Government that a response on the consultation was imminent. There was nothing. A month ago, we were told that it would be a matter of weeks, but probably not until after the Bill came back. Last week, we were told by officials that the report on SLPs was awaiting sign-off in Government, and on Sunday there was an announcement in the press that action was going to be taken, with a “Crackdown on abuse of UK businesses for foreign money laundering”. When we get to the detail, what in fact is it? It is another consultation—it is a consultation about a consultation. That simply will not do. The UK Government are well aware of the problems with SLPs, which are well documented. The Secretary of State mentioned earlier the evidence that led to the bringing into scope of the person of significant control. We know that that was required, and there was evidence on it. We are waiting for fines to be levied on people who have not registered their persons of significant control.

Hannah Bardell: Does my hon. Friend agree that the fundamental point in all this is that closing a consultation and then having a debate on Report shows a Government in complete chaos? How can they commit public money to a consultation process that has no influence on the legislation before us?

Alison Thewliss: Absolutely. The Government have been told all the way through this process that this is the opportunity to act on the evidence that has been gathered and is out there in the newspapers—it is in The Herald on a weekly basis, for goodness’ sake—about abuses of SLPs. The Government could have done something about this. They could easily support the amendments we are proposing to the Bill. The press release that came out said that there was “growing evidence SLPs have been exploited in complex money laundering schemes, including one which involved using over 100 SLPs to move up to $80 billion out of Russia. They have also been linked to international criminal networks in Eastern Europe and around the world, and have allegedly been used in arms deals.”

So why will the Government not act?

Proposals are far too vague. We are promised that the Government will legislate as soon as parliamentary time allows. The Secretary of State said that the consultation will close on 23 July, so we are looking at after the summer recess before anything comes back to the House. This is the stuff of never-never land. Ministers could accept our new clauses and amendments today and start to legislate now. If they are really serious about this, they should stop fanning around, support the new clauses and amendments and stop the flow of dirty money through SLPs once and for all.

The Government’s move not to oppose new clause 6 is astonishing, but I am very glad they have made it. There has been some speculation by Conservative Members about the Scottish National party’s position on this issue, and I will deal with that, but I first want to pay tribute to the right hon. Members for Barking (Dame Margaret Hodge) and for Sutton Coldfield (Mr Mitchell) for their Herculean efforts in bringing this before the House today. For a long time, we did not know when or if the Bill was coming back, but they have steadfastly worked hard to garner cross-party support, and I absolutely pay tribute to them for doing so.

Earlier in the Bill’s progress, I made clear the reservations I had at first, and it should not be the case that the UK Government impose things on other territories. Again, I reiterate that I would not like this if it were about Scotland, but I should say to all Members who doubt the sincerity of the SNP’s position. [Interruption] I hear some of them chuckling—that we cannot envisage a situation in which a Scottish Government would
deliberately act to damage the financial interests of the UK economy by allowing tax evasion and avoidance to take place on an industrial scale within our jurisdiction and to shield the flow of dodgy money. That is what we are talking about today, and that is the fundamental difference. In Scotland, the fundamental issue of landownership is also hidden behind the shield of overseas entities.

Luke Graham (Ochil and South Perthshire) (Con): Will the hon. Lady give way?

Alison Thewliss: I am just about to finish. [Interruption.] Let me finish this point, and I will then give way.

Landownership is hidden behind such entities. Just a few weeks ago, The Sunday Post highlighted the very important point that Scottish property is held in 22 different tax havens by 776 companies. Just last year, overseas firms bought £200 million of Scottish land and buildings, ranging in size from council estates to country estates, and the total value of such property is estimated to be £2.9 billion. This costs taxpayers in Scotland and here in the form of the capital gains tax revenue that is missed because the property has gone somewhere else. It has left the country, and there is no transparency. If the hon. Gentleman really wants to justify it, I will happily take an intervention from him.

Luke Graham: I actually wanted to praise SNP Members for standing up with others to support new clause 6 and back increased financial transparency. I also congratulate them on and thank them for recognising the sovereignty of Westminster in legislating for all parts of the United Kingdom and its overseas territories. I thank them for backing the constitution as it exists, and I appreciate such support at a time when we are looking for more investment in our constituencies, especially in relation to devolved matters.

Alison Thewliss: I must say that the hon. Gentleman makes a very simplistic argument. Unsurprisingly, he entirely misses the point. However, I welcome his support, which is very good. I hope that we will be able to claim back more money for our constituencies when there has been a crackdown on tax evasion and tax avoidance.

Why do we need to act now? Because the Prime Minister has committed to ensuring that the torrent of Russian dirty money stops, and Global Witness has found that over the past 10 years, more than seven times more money—an estimated £68 billion—has gushed from Russia to the overseas territories than into the UK. This has primarily been discovered through leaks, such as the Panama papers and the Paradise papers, and by the painstaking work of researchers and campaigners, including organisations such as Transparency International. They have tried to put that together, because we cannot see this hidden picture for ourselves.

Some of the money hidden in the British Virgin Islands has been revealed to be connected to the Magnitsky case too, so we must bear in mind the severe human rights implications of money laundering—with money hiding behind closed doors, where we cannot see it. There is an incentive for people to do that because they know that, at the moment, they cannot be found out. As hon. Members have illustrated, there are many cases of public funds being stolen from some of the poorest countries in the world and hidden in the overseas territories, and we cannot in all conscience allow this to continue.

Progress has been made by the overseas territories over the years, but the pace has been slow and the work has been patchy. The EU is moving towards having a public register of beneficial owners as part of the anti-money laundering directive, and we must play our part—regardless of Brexit—to keep up the pace towards international transparency.

Huw Merriman: Will the hon. Lady give way?

Alison Thewliss: I am about to finish, and I want to allow other speakers in.

This should be about everybody moving forward together on a global basis and gathering momentum towards transparency. I acknowledge the concerns of the overseas territories, but the case for action on corruption and money laundering is absolutely and completely compelling. I very much hope that we will not need to get to the position of using Orders in Council, because with such support public registers are entirely achievable.

I will talk more about Companies House later, if I am able to, but I want to close now by saying that I am not satisfied by the Government’s actions on SLPs. This is a missed opportunity, and I urge them to take real concerted action to do something today and make a change where they can.

3.15 pm

Sir Henry Bellingham: I declare an interest as the chairman of the all-party group on the British Virgin Islands and as a former Minister for the overseas territories. I had the pleasure of visiting all but two of them during my time in office.

It is a pleasure to follow the hon. Member for Glasgow Central (Alison Thewliss). She said that not enough progress has been made, but I disagree. I think a lot of progress has been made, and I will come on to that in a moment. We are all of the same view, however, about the problem that exists, which was so eloquently outlined by the right hon. Member for Barking (Dame Margaret Hodge) and my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell). No one can disagree with what they said or about the scale of the problem; it is just a question of how we attack and deal with this problem.

When I was a Minister, I came across a number of examples of straightforward pilfering by different parties in African countries. One that my right hon. Friend and I dealt with, when he was the Secretary of State for International Development and I was the Minister for Africa, involved the Democratic Republic of the Congo, where a company called Tullow had its licence expropriated, completely unreasonably, by the DRC Government. It transpired that, after it was expropriated, it was handed over to a nephew. I think, of President Kabila and to a relative of President Zuma, while the company receiving the assets was registered in the BVI.

We know exactly what the problem is, but the question is how we should go about dealing with it. In many ways, I am disappointed with the Government. I feel that they should have tabled their new clause a bit
earlier and made the arguments for it and that they should very much have stuck to their ground, but we must now move forward.

As far as the economies of those territories are concerned, unless people have had the chance to go there, it is difficult fully to understand the extent to which some of them have become dependent on international financial services—in the Caymans, it is obviously banking; in the BVI, it is international corporate registrations. They are extremely successful economies, with a very large number of professional service jobs clustering around their business model. I agree entirely with my right hon. Friend when he said that they can compete in other areas, such as tax and efficiency, as well as looking after the clients, and I hope that many parts of those professional and service businesses can expand, but there will be a disruption to their business model in the short term.

I am concerned that the Foreign and Commonwealth Office will be required to work incredibly closely with the Governments of those territories—particularly those of the BVI and the Cayman Islands, and to some extent those of the Turks and Caicos Islands and Bermuda—to make sure that, over the next few years, it puts in a huge amount of effort, knowledge sharing and capacity building.

My right hon. Friend will be more aware than anyone that, under the International Development Act 2002, the Department for International Development is the first port of call for financial assistance when something goes wrong in the territories. He and I obviously remember what happened in Montserrat, where DFID quite rightly came to the rescue, and when the Government of the Turks and Caicos Islands in effect went bust, DFID came up with a very large loan. That is why it is incredibly important that successful economies, such as that of the BVI, can transition to the new world in which they are going to have to live.

I would not have supported my right hon. Friend’s new clause 6. He asked me to support it, and I thought long and hard about it. In many ways, I would like to have done so, but I was very concerned about it for a few reasons, the first of which involves the constitution. As the hon. Member for Bishop Auckland (Helen Goodman) pointed out, I was the Minister responsible for the overseas territories White Paper in 2012, into which DFID had a significant input, as indeed did the Department for Environment, Food and Rural Affairs.

My right hon. Friend the Member for Newbury (Richard Benyon) assisted in that part of the White Department for Environment, Food and Rural Affairs, which DFID had a significant input, as indeed did the for the overseas territories White Paper in 2012, into which DFID had a significant input, as indeed did the Sultan Coldfield and I know well, as we have both visited it. Unless we are incredibly careful, that displacement will take place and, as the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) pointed out, it will take place to the Crown dependencies.

France has a different model, with some of its territories incorporated into La France and with representatives in the Assemblée Nationale. We have moved to a model of rule that is different in every case. Every territory has a different constitution and a different type of home rule, and we must work now to try to build consensus. I sincerely hope that the nuclear option contained in new clause 6 of Orders in Council will not be needed. We will have to work hard to make sure that we make progress in terms of what is outlined in the new clause. If we do not, I foresee a serious stand-off with at least three of the territories. I also fear for the economies of the territories if change happens very quickly and they have a significant loss of income. How will they transition and build up tourism, for example, or agriculture, where the BVI is very far behind?

I am concerned also that those territories have nascent independence movements and they will look at what has been said in the House today and say, “Well, if Britain is not prepared to work with us on a consensual basis, why should we remain in the British family?” I will do all I can to dissuade them from that course of action. Over the next two or three years, I hope that Ministers will have many discussions and make a generous offer of assistance, so that we can make progress in the right way.

Jo Swinson: The hon. Gentleman says that we need consensus and to try to work with the overseas territories. I would gently point out that the UK has been showing leadership on this issue since the international summit in 2013. Why does he think the overseas territories have engaged so little on this agenda, and why is he optimistic about success without the type of measure that the House will agree today, given that the Government have been making the case for five years?

Sir Henry Bellingham: I understand the hon. Lady’s point, but I would point out that some of us worked extremely hard to build up to the exchange of notes in 2016, so that our law enforcement agencies can access key information from, for example, the BVI within a matter of hours and use it in various measures they take against serious organised crime, money laundering, international slavery and the expropriation of assets—

[Interrupt.] I hope that it is someone important.

On 70 occasions, the law enforcement agencies have been able to move against unsavoury people and get results.

If we move too quickly and without a decent transition, many of the corporate registrations will not stay in the BVI, the Cayman Islands, the Turks and Caicos Islands, Anguilla and so on: they will move to places such as Delaware, Panama, Venezuela, Nebraska and Equatorial Guinea—which my right hon. Friend the Member for Sutton Coldfield and I know well, as we have both visited it. Unless we are incredibly careful, that displacement will take place and, as the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) pointed out, it will take place to the Crown dependencies.

Mr Mitchell: My hon. Friend does not appear to accept the point that has been made repeatedly today that the territories may well allow access to law and order agencies, within an hour in the case of terrorism, through closed registers, but that does not allow civil society—charities, NGOs and the media—to expose them to the sort of scrutiny that the Paradise and Panama papers did. They allowed us to jump up the dots. That is why I emphatically disagree with him on this
point about closed registers. They work for law and order agencies, but they do not work to stop the dreadful money laundering.

**Sir Henry Bellingham:** I will not get into an argument with my right hon. Friend because I think we agree on so much of this. My concern is that it required a leak from Panama to expose those people, and there will be many other jurisdictions that may not have leaks in future and where much of the business will go, unless the whole world moves to the end goal of open registers—

**Mr Kenneth Clarke:** I accept the point that my hon. Friend the Father of the House is, as ever, very wise. I want to proceed on a pragmatic, staged basis, and I think we could have come together on the Government’s compromise, had it been tabled in good time.

**Mr Seely:** Would not just waiting until everyone else moves show a lack of leadership on our part?

**Sir Henry Bellingham:** My right hon. and learned Friend the Father of the House is, as ever, very wise. I want to proceed on a pragmatic, staged basis, and I think we could have come together on the Government’s compromise, had it been tabled in good time.

**Mr Seely:** Would not just waiting until everyone else moves show a lack of leadership on our part?

**Sir Henry Bellingham:** That is a fair point, and those of us who have been supporting the Government loyal on this and working with them accept that it is a weakness in the argument. If we set an example, we hope that other people will follow. I hope that when the Minister winds up he will say how we will try to influence other countries and jurisdictions to follow this example.

**Mr Cox:** My hon. Friend has enormous experience of these territories and he will know, as I know, that the operation of surveillance and monitoring of flows of capital through the overseas territories is one of the best intelligence sources that we have on the movement of criminal moneys. To demand that the overseas territories all suddenly go public will give one hit—just like the WikiLeaks thing was a one-hit wonder—because no one will then trust those jurisdictions where the light of publicity has been shone. All it will mean is that the money goes to where it is darkest, as the right hon. Member for Sutton Coldfield (Mr Mitchell) argued that this measure will enhance not just our standing in international development, so that we can feel good about ourselves, but the work in developing nations to enrich everybody, not just a few who may benefit, often nefariously, from the tax havens that operate and provide cover for bad behaviour. I commend my hon. Friend the Member for Bishop Auckland (Helen Goodman) for all her work in Committee and all the tiny tit-bits she has let us have, as Members with an interest, as it has progressed. It has been like following a series on television. I am so pleased that we can welcome the Magnitsky clause and new clause 6.

As a London Member, I want to put on record how pleased I am that there are measures that may assist in relation to property. It may not be perfect, but those of us who are London Members have very affluent parts of our constituencies where properties are purchased, often at a very high price, but then sit empty as assets, while in other parts of our constituencies families live in overcrowded homes. We need to use such international approaches to try to achieve some sense of equality.
On the role of other facilitators of tax evasion and avoidance and the big four accountancy firms, many Members feel it is time that they were brought to book. My right hon. Friend the Member for Barking has done a lot of work on that. The next stage is to try to clean up the City of London more effectively and to see the closure of certain poor practices, such as Mossack Fonseca and others. Yes, it was a one hit wonder, but we did see the closure of a number of underperforming legal practices. The next step of this campaign is how to allow the pin-striped enforcers of tax evasion and avoidance to have a more honest and equal way of practising their profession.

That is all I want to say. It is so good to see consensus in the House today.

Mr Seely: It is a privilege to follow the hon. Member for Hornsey and Wood Green (Catherine West).

I believe that the fight to improve the integrity of our financial system and to do what we can to reduce money laundering is critical in the fight against not only corruption but the malign influence of authoritarian states. I very much welcome the work done by my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) and the right hon. Member for Barking (Dame Margaret Hodge). I felt very proud to agree to rebel against the Government—I am quite glad I did not have to—but nevertheless, I thank them for that amendment.

On the point about corruption and the malign influence of others, the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), the hon. Member for Rhondda (Chris Bryant), the right hon. Member for Exeter (Mr Bradshaw), my hon. Friend the Member for Gravesham (Adam Holloway) and I have been shown documents that we believe relate to our national security and money laundering. They originate from Monaco’s Sûreté Publique, the police department that manages security and foreign residents in that area. They are based on the Sûreté Publique’s own information and on information provided by the French Direction de la Surveillance du Territoire—the DST—which at the time, was the French equivalent of MI5.

These documents are brief, terse, factual files, listing activities, associations and judicial actions. They have been authenticated by senior French intelligence sources and by British and American counterparts familiar with their contents. The documents link a noted individual and by British and American counterparts familiar with its charitable work, nor members of the public, nor, clearly, Members of this House who have dealt with the staff at Legatum, nor those people who have engaged with its charitable work, nor members of the public, nor, clearly, Members of this House who have dealt with the staff at Legatum, nor those people who have engaged with its charitable work, nor members of the public, nor, clearly, Members of this House who have dealt with the staff at Legatum, nor those people who have engaged with its charitable work, nor members of the public, nor, clearly, Members of this House who have dealt with the staff at Legatum, nor those people who have engaged

Mr Seely: I am most grateful for that intervention. I am aware that the right hon. Gentleman has seen these documents and that he shares my concerns. I believe that the right hon. Member for Birmingham, Hodge Hill, should he have the privilege of being called to speak, will talk further on that point and make reference to these files.

Christopher Chandler’s personal file is marked “File code S”, a DST marker indicating, if I understand correctly, a high or higher level of threat to France. In France, the letter “S” is now used to designate radical Islam. In Monaco then, it was used to designate counter-espionage. As I have said, Mr Speaker, I believe that other Members, if you wish to call them, may cite further details—the right hon. Member for Birmingham, Hodge Hill, the hon. Member for Rhondda, the right hon. Member for Exeter or my hon. Friend the Member for Gravesham.

I wish to state explicitly that I make no criticism of the staff at Legatum, nor those people who have engaged with its charitable work, nor members of the public, nor, clearly, Members of this House who have dealt with this institution. I have thought long and hard before making this statement, but I have done so because I believe, and the five of us believe, that it is in the national interest to do so. If people like Mr Chandler are vulnerable to malign influence—maybe he is an innocent party in this, who knows?—especially if the information on them is covert, that matters to our democracy.

In November 2017, the Prime Minister highlighted the danger from Russian subversion. I take my lead from her when she said that the Russian regime was trying to “undermine free societies”. I also read the excellent piece in The Sunday Times this weekend looking at how Russian bots may have manipulated elections. One of the problems in elections is that if they are manipulated successfully, the winning side does not want to know and the losers plead sour grapes, so the answer is to do what we can to strengthen our electoral system before it is too late.

Chris Bryant: I commend the hon. Gentleman for what he has said and fully concur with what he has argued—I have seen the papers as well and I have come to the same conclusion as him. Does he think that the Magnitsky clause will make a significant difference in our being able to tackle this kind of hidden pervasive influence in British society and British politics?

Mr Seely: Anything that helps us is important because we need to keep our society free of covert and malign influence. I was in the States last week, as the hon. Gentleman knows, and I am working with Congressmen there and in Canada, Australia and New Zealand, so that we can combine best practice. That is important because a counter-propaganda Bill is going through the United States Congress—do we need that here, etc.?
If I see information of this kind, I have a choice: I can disregard it and become complicit or, if it is genuine, I can put it in the public domain. It might be that Committees will wish to have access to this information, and I suspect that those who have it will provide it to any of the six Committees investigating Russia, if they wish to do so. It might be that Mr Chandler can provide a satisfactory explanation or argue that these relationships, if they existed, are now historical or have been misrepresented in the documents. I do not use privilege lightly, Mr Speaker. He might wish to offer evidence, written or oral, to any of those six Committees, whose work I am supporting, in a modest way, as secretary to the Russia steering group. I look forward to his response—I am quite sure there will be one.

I will be writing to the Prime Minister in the coming weeks to suggest further measures to strengthen our democracy and electoral system. The struggle of our generation is how we deal with authoritarian states and their actors, official or proxy, who use free and open societies to damage those free and open societies. We need to do something about it. Increasingly, Members now see that covert malign influence from authoritarian states, most commonly our friends in the Kremlin but also elsewhere, is a real and present danger to our nation, to our financial system—hence this debate—and to the transparency of our democracy and electoral system, not to mention the Kremlin’s ability to conduct acts of violence and murder on our soil. We have a duty to speak up and to use this House for the public good. That is what I am doing now.

Several hon. Members rose—

Mr Speaker: Order. I want to call several more colleagues and therefore there is a premium upon brevity.

Jo Swinson: Having listened to various hon. Members refer to the excellent briefing by Transparency International UK, I should declare an interest, as I am married to its director of policy—the briefings really are excellent.

Turning first to the Magnitsky amendments, I welcome Government amendments 10 and 13, which reflect the Prime Minister’s commitment of 14 March. After Second Reading, many of us felt rather less confident than previously that they would be forthcoming, so I am glad that the Government have brought them forward, given that the issue has been raised repeatedly. I am particularly reassured by the Minister’s confirmation that the lists of people sanctioned will be put in the public domain for anybody to see. I agree with others that that is a very important deterrent.

The importance of human rights and the part that our country plays in upholding them internationally cannot be overstated—they are vital. The hon. Member for Glasgow Central (Alison Thewliss) set out the horrendous case of Sergei Magnitsky and the horrendous lengths to which oligarchs will go to protect their ill-gotten gains. I was reminded, on the wider issue of corruption, that we are talking about not just numbers on spreadsheets, but people’s lives—this is literally a life and death matter. I recall planning a visit to Russia to investigate human rights abuses in Chechnya. We had to postpone the visit because the individual we had been organising it with, Natalya Etemirova, who was from a human rights organisation, was assassinated.

That followed the murder of the journalist Anna Politkovskaya, and last October we were shocked by the murder in Malta of the investigative reporter Daphne Caruana Galizia. These people were murdered for investigating and exposing corruption and human rights abuses. I was particularly pleased to see the launch of the Daphne project in tribute to Daphne, with 45 reporters from 15 countries carrying on her work so that her stories will live on. One of the most powerful ways to send a message to anyone who would seek to silence those trying to uncover corruption is to make sure that what they were uncovering is finally exposed.

The Minister mentioned the consultation that was launched yesterday on Scottish limited partnerships. The very real problems that have arisen under those partnerships have been in the public domain for more than 18 months, and given that we as a country have been trying to lead on this in recent years, we need to be moving with much more alacrity. The hon. Member for Glasgow North East (Mr Sweeney) made an incredibly important point about enforcement. We need to ramp up Companies House’s ability to investigate, and that requires resources. Very good people there are trying to do a very good job, but given that 17,000 Scottish limited partnerships were registered to just 10 addresses, there are questions to be asked about how risk-based investigation and digital tools could be improved.

3.45 pm

We know that when someone registers a company name that contains one of 135 sensitive words, it is automatically flagged up and examined in more detail. Those words range from “royal” and “Windsor” to “institute” and “midwife”. Perhaps it would be possible to expand the same facilities to create a risk profile of other suspicious activity that needs to be examined in much greater detail, while not making it difficult for people who want to set up companies entirely legitimately to do so. More could definitely be done in that regard.

We have discussed the key issues of beneficial ownership, public registers and the overseas territories, but again the Government have delayed, and that has been the hallmark of their approach. Although the issues were well aired in the House of Lords, and in this place on Second Reading and in Committee, the Government made a rather late attempt this morning in tabling their amendments. I must confess that that screamed out at me as a tell-tale sign of a Government who were afraid that they might lose a vote. None the less, I welcome their acceptance of new clause 6. I pay tribute to the work of Members on both sides of the House, including the right hon. Members for Barking (Dame Margaret Hodge) and for Sutton Coldfield (Mr Mitchell).

Hannah Bardell: Does the hon. Lady agree that it is disappointing to hear Conservatives saying that the money will move elsewhere? If we do not make a start, how will we move forward? The gender pay gap reporting has done exactly that.

Jo Swinson: I concur absolutely. The fact that we cannot solve this problem in every single jurisdiction in the world does not mean we should not try. Although the issues were well aired in those areas where we can have influence. We should certainly be using our diplomatic influence to try to expand the use of public registers in other countries,
but we should also be setting our own house in order, because if we do so, we will have more legitimacy and credibility when we urge other countries to follow suit.

The United Kingdom is trying to take a leadership role on this issue, and that is important. That dates back to 2013, when the then Prime Minister, David Cameron, set out the Government’s plans at the G8 summit and was aiming to secure international agreement through the anti-corruption plan. I was delighted to play a role as a Minister in the introduction of measures on beneficial ownership and the public register in this country through the Small Business, Enterprise and Employment Act 2015. There was also an anti-corruption summit in 2016. However, there has been delay since then. At that time, the Government committed themselves to legislate to increase transparency in the housing market and to require overseas companies that owned property to declare their beneficial ownership publicly. That was supposed to be in place by April, but now it, too, has been delayed. We will not see even a draft Bill until the summer, and we will not get the actual legislation until next year.

The issue of the overseas territories really matters. More than three quarters of corruption cases involving property that were investigated by the Met’s proceeds of corruption unit involved anonymous companies based in secrecy jurisdictions, and nearly four fifths of those were registered in either the overseas territories or the Crown dependencies. As I have said, it is important that we get our house in order. Conservative Members have said we should try to do that with various levels of enthusiasm over the last five years yet the registers have remained firmly private.

What we are talking about is an international crime. It is not victimless. We are talking about corruption that has a very serious impact on vulnerable people in countries throughout the world. Money is siphoned off through corrupt means and denied to the populations of those countries when it should be funding public services and enabling individuals to be looked after. That has an impact on the UK’s own reputation as well.

It is worth recognising the significant role of the overseas territories. In the Panama papers, the British Virgin Islands was the most popular tax haven mentioned, and Bermuda is No. 1 on Oxfam’s list of worst corporate tax havens. That is why it is important that we act. The right hon. Member for Sutton Coldfield rightly explained the tax havens. That is why it is important that we act. The and Bermuda is No. 1 on Oxfam’s list of worst corporate overseas territories. In the Panama papers, the British Virgin Islands was the most popular tax haven mentioned, and Bermuda is No. 1 on Oxfam’s list of worst corporate tax havens. That is why it is important that we act. The right hon. Member for Sutton Coldfield rightly explained the tax havens. That is why it is important that we act.

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What we are talking about is an international crime. It is not victimless. We are talking about corruption that has a very serious impact on vulnerable people in countries throughout the world. Money is siphoned off through corrupt means and denied to the populations of those countries when it should be funding public services and enabling individuals to be looked after. That has an impact on the UK’s own reputation as well.

It is worth recognising the significant role of the overseas territories. In the Panama papers, the British Virgin Islands was the most popular tax haven mentioned, and Bermuda is No. 1 on Oxfam’s list of worst corporate tax havens. That is why it is important that we act. The right hon. Member for Sutton Coldfield rightly explained the challenges involved in including the Crown dependencies under new clause 6 and the specific relationship levers that we have as a country. Nevertheless, I hope that, having accepted the new clause, the Government will be enthusiastic about pursuing the same issues with the Crown dependencies to ensure that they follow suit. They should definitely be required to publish such a register so that the UK can show global leadership on this issue.

Richard Benyon (Newbury) (Con): My experience of the House leads me to conclude that when somebody pays a Member a compliment, they should bank it and move on. However, although I am grateful to the Minister and the hon. Member for Bishop Auckland (Helen Goodman), it is important to say that a lot of people have worked on the Magnitsky amendment or law as it has come to be known, many of whom sit on the opposite side of the House. Many of them have also been involved in this matter for a lot longer than I have, but I do stand to speak in support of new clause 3.

Robert Neill: I welcome everything my right hon. Friend has done around the Magnitsky law and the fact that the Government have accepted it. Is he aware that the Government and Parliament of Gibraltar have already introduced a Magnitsky law, which indicates their willingness to be ahead of the game, rather than having to be dragged forward?

Richard Benyon: Then they should feel extremely virtuous. It is important that we recognise that we are today putting in place something that already exists in a number of other legal jurisdictions—the Baltic states, the United States and Canada. A number of other countries are looking to do this, too.

David Cameron has been mentioned a lot today, and his commitment on this matter has been vital. In a recent speech to Transparency International he said:

“One of my regrets of my time in office was that we didn’t introduce the Magnitsky Act. The Foreign Office argument was that Britain’s existing approach was better, because we could sanction all the people on that list—and more besides. And I went along with it.

But I soon realised this ignored the advantages of working together—with other countries—under a common heading. It’s not PR, it’s a fact. You get extra clout from coming together across the world and saying with one voice to those who are responsible for unacceptable acts: ‘We are united in our action against you.’

He then paid tribute to his successor as Prime Minister and to Parliament for passing the provisions in the recent Criminal Finances Act 2017, and also referred to a person who deserves mention in this House today. Bill Browder, along with others, has put himself at huge risk to make sure that those who murdered his lawyer and friend Sergei Magnitsky are not able to travel around the world, bank, buy property and operate in a manner that we rightly take for granted in this country but should be denied to people who have behaved in that way. If we remember anyone today, we should think of the piteous image of Sergei Magnitsky after months of imprisonment. He was extremely unwell and then beaten to death by thugs at the behest of people who have still not been held to account. Today we are saying to them, “Not in our country are you going to be able to do business,” and we should feel proud of that.

In an act of extreme serendipity, I found myself on the Bill’s Committee. I am extremely grateful to members of that Committee, to the Minister and his officials, and subsequently, in recent weeks after the Salisbury incident, to the Prime Minister for absolutely accepting that we need to have what will be known as the full Magnitsky. We went a considerable way towards that a year ago with the Criminal Finances Act, but are now in a position to say that we are in accordance with the Magnitsky provisions of other countries. It is important that we get the definitions right—I do not think that we got there in Committee—but to now have a definition of gross human rights abuse that is in accordance with the Proceeds of Crime Act 2002 is important.
My brief comments today will be about what Parliament does now, because the Bill is gratifyingly loose in its description of what kind of review mechanism Parliament will impose. This is crucial. In recent days, I have had useful discussions with Committee Clerks, the Chairmen of the Liaison and Procedure Committees and a number of others about what kind of structure we could create in accordance with the Bill to allow individuals—Members of this House, members of organisations such as Amnesty International or Bill Browder’s, or any individual—to say to the Government, “We have evidence that these people have done this and should be sanctioned.” The Government will produce a report to Parliament every 12 months setting out who has made representations to them. In an important response to the hon. Member for Aberavon (Stephen Kinnock), the Minister made a clear assertion that the names on the sanctions list will be made public. That is important.

Mr Jonathan Djanogly (Huntingdon) (Con): I have to say that the Minister did not go into very much detail in his excellent opening remarks about what would be in the report proposed under new clause 3. If my right hon. Friend has had discussions with him on that, it would be interesting to hear about them. If not, it would be interesting to hear more from the Minister later on.

Richard Benyon: We have it in our power to create something in Parliament that will hold future Governments as well as this Government to account. I am full of respect for what our security Ministers have been doing recently to freeze the bank accounts of certain individuals, and I absolutely believe that the Government have the will to ensure that we get our economy sorted out so that we cannot be a safe haven for these people. However, what we are talking about will be happening way into the future. It will affect future Governments as well, and we must hold them to account.

We could put this in the hands of an existing Committee—perhaps a Select Committee—but I suggest that that might not be the right framework. A Select Committee has the specific role of holding a Department of State to account and looking into certain details. I personally like the idea of a bespoke Committee that would draw together members of different Committees. The example that I would throw out there for others more important than me to grab is the Committees on Arms Export Controls—the CAEC. It has a specific remit, with members from various Select Committees, and I think it would be an effective model.

Helen Goodman: May I urge the right hon. Gentleman to read new clause 10, which sets out a proposal for a scrutiny Committee?

Richard Benyon: Well, I have. I just think new clause 3 leaves it much more open for Parliament to make a decision, and I am quite content with that, although I am open to other suggestions. Some people say that the Joint Committee on Human Rights might be best placed to carry out this scrutiny, but I see, from delving into the Standing Orders, that Standing Order No. 152B(2)(a) states that the Joint Committee has a remit to look at “matters relating to human rights in the United Kingdom”.

What we are talking about here is matters relating to human rights anywhere. We could be talking about someone who is evicting the Rohingya, for example, or actions taken in conflicts or situations as yet unknown and unforeseen. We need to ensure that we can look at human rights everywhere.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): As a member of the CAEC, I urge the right hon. Gentleman to think again about using it as a model for a scrutiny Committee. I sit on it, and it struggles to function—it did not meet for two years—but one thing that it did recommend was a measure to allow the Government to shut down brass-plate companies, on which I have tabled an amendment in the next group.

Richard Benyon: I understand the point that the hon. Gentleman is making. I am not completely wedded to that idea. I simply say that this is in our grasp—this is now Parliament’s duty. Following the very good discussions that I have had with my hon. Friend the Member for Totnes (Dr Wollaston), the Chairman of the Liaison Committee, and my hon. Friend the Member for Broxbourne (Mr Walker), the Chairman of the Procedure Committee, as well as with other wise heads and people with much more experience than I have, I know that we need to design something that really works. The crucial thing that works in Congress and in other Parliaments is what is known in the United States as the “congressional trigger”, under which it is possible to really ask questions of the Executive. Through the measure that we are discussing today, the Executive are giving Parliament the power to get this right, and we must take that duty very seriously.

Liam Byrne: I want to make two points in support of new clause 6 and to encourage the Government to take on board the arguments made by my hon. Friend the Member for Bishop Auckland (Helen Goodman). I also want to put on the record my tributes to my right hon. Friend the Member for Barking (Dame Margaret Hodge), the right hon. Member for Sutton Coldfield (Mr Mitchell)—my constituency neighbour—and the others associated with this step forward.

4 pm

I want to draw out the argument made by the right hon. Member for Sutton Coldfield, because I thought he would say a little more about the importance of new clause 6 to the development agenda that he and others have championed over many years. It is sometimes possible for Governments to will the ends, not the means, and I fear that this could be one of those cases. For all the economic gains of the past 30 years, the truth is that they have not been shared fairly. The top 1% now hold something like half of world wealth, and if that lucky, privileged few continue to amass wealth at the pace we have seen since the financial crisis, they will control two thirds of global wealth by 2030, so we are at a tipping point. If we do not make a change now, it will be difficult to restore a measure of equality over the course of this century.

Now, I do not think that Her Majesty’s Government want that outcome, which is why they signed up to the sustainable development goals in 2015 and why they agreed to the G20 communiqué at Hangzhou in 2016 that said the world should work together to develop
measures for more inclusive growth. However, at the spring meetings in Washington a couple of weeks ago, the president of the World Bank made clear what it will take to deliver that, saying, “Look, once upon a time the World Bank would say, ‘We need to develop and invest in infrastructure and infrastructure alone, but that is no longer good enough. We have to invest in infrastructure and health and education.’” To do that, however, requires developing countries to mobilise something like 15% of GDP. Those countries have tax bases of just 5% of GDP, so if we are to finance the bridge—the missing 10%—we have to strip away the layers of protection around tax havens that allow corrupt companies and individuals to salt away, like an old pirate treasure, the money that is vital to closing the development gap and delivering the sustainable development goals by 2030.

My second point is about national security. We have heard several arguments this afternoon about why it is terribly important that we step super-cautiously around the constitutional privileges that we have granted to overseas territories and Crown dependencies. I respect that argument, but the reality is that money squirreled away in those places is now being used to enable the undermining of our constitution. Therefore, if we want to drive forward the rules-based order that Her Majesty’s Government are keen to champion, we must act against the enablers of attacks on this country’s sovereignty and integrity.

Mr Cox: It is perfectly within our power—the Government have committed to do this—to institute a public register that requires the beneficial owners of any overseas entity wishing to own property in this country to be declared in public. We can do that as it is part of our jurisdiction. However, does the right hon. Gentleman not see that the step that is now being taken goes much further than that and requires the overseas territories to make things public even in relation to property that is not owned in the UK?

Liam Byrne: That is absolutely what I am proposing, and my reason is this country’s national security. Let me give the hon. and learned Gentleman a simple example. Back in November 2017, my right hon. Friend the Member for Exeter (Mr Bradshaw) raised the issue of some significant agents of influence in this country: the Chandler brothers, who happen to run an important think-tank that has enjoyed unrivalled access to Ministers during one of this country’s most important national debates. The risk—I put it no stronger than that—that we are running is that that support is financed from sources that derive from the Russian Federation, and it may therefore be part of the panoply of active measures that have been drawn together since the re-election of President Putin in 2012. He has made no secret of that. Therefore, if we want to be declared in public. We can do that as it is part of our ignorance of where that £68 billion of Russian money is now sloshing around the overseas territories.

Global Witness has done this House an incredible service by highlighting how £68 billion of Russian money is derived from Russian sources, and I want to know whether that money is derived from Russian sources, and I want to know who the business partners were.

If there is innocence, it should be proved. It should be clear. That is why the disinfector of sunlight is so important. What we cannot have is agents of influence peddling policies and proposals backed by dirty money from one of our country’s enemies. We cannot have that, and we in this House have a responsibility to ensure that we do not run that risk.
For far too long, good and bad money has been allowed to mix together in our overseas territories and Crown dependencies. There is good money there, but we need to be honest with ourselves that some of that money comes into too close contact with cash generated by economies of evil. It is our responsibility to take steps to shut down that regime, which is why new clause 6 and the arguments of my hon. Friend the shadow Minister are so important. I hope the Minister will listen.

Mr Djanogly: First, let me join many hon. Members in congratulating the Government and, in particular, the Minister on building a consensus within the parties and among hon. Members on the Magnitsky provisions, which I wish to speak to today.

Time is short, so I will only make a few brief points. On whether these powers are actually going to be used and on the methods of use, I do not yet see any significant change of Government policy. However, if this debate is going to be the herald of a new-found dynamism to clear the UK of the £90 billion of black money flowing through our banks, real estate market, private schools, Bond Street and the rest, I would certainly very much welcome that. My question is: will action now follow the law? I will be interested to hear whether the Foreign Office has had words with the Attorney General, the Home Office or other Departments in that regard—is there a strategy?

On the Government amendments, I see that new clause 3 provides for a reporting system for human rights violation-related sanctions. That is welcome, but my reading of this provision is that it is a retrospective check on what the Government have done and not so much on what they intend to do—if I am wrong on that, I would be grateful if the Minister would clarify the position. The measure in itself is commendable, and I agree that if the report is a sparse one, it would imply and provide evidence to support claims that the Government should be doing more. However, I was very pleased to hear the Minister suggesting today that we are also to have a list system that will be updated on an ongoing basis for those subject to sanctions, as this approach has clearly been so effective elsewhere. Having said that, will the Minister confirm whether people to whom the relevant sanctions have been applied would also need to be listed in the Government new clause 3 report? I believe the answer is yes, but I would be grateful if he would clarify that. Even if there is to be a running administrative list, it would be helpful to have the names set out in the report, with reasons given and an assessment.

There is another related issue here. Could the Minister confirm whether the visa bans attributed to section 1-type sanctions would also be listed in the new proposed report? Again, maintaining the current system of secret visa bans is simply not as effective as people knowing that their lack of welcome here will be made public in a Magnitsky-list fashion. What these people fear, every bit as much as receiving a visa ban, is other people knowing about it.

My final point is that although this Bill creates a new post-Brexit framework for sanctions, it does not actually set out our policy for how sanctions will be considered or implemented on a multinational basis, which everyone agrees is the most effective approach, as has been said by my right hon. Friend the Member for Newbury (Richard Benyon). So will the Minister explain how these sanction provisions would be considered within the European Union after we have left it? For instance, is consideration being given to setting up a new co-ordinating committee within the EU? In various speeches I have read, it seems clear that the EU will continue to wish to work closely with the UK on external security matters, so there seems to be goodwill to that end. I would be interested to hear more on how we propose that decision making on sanctions will be put into an institutional context.

We have mainly discussed Russia today. It is worth mentioning that the US aluminium sanctions on Russia were put in place only a few weeks ago, and I have since heard of a degree of kickback from other countries such as Germany and other negatively affected parties. Clearly, if we are going to get tough on sanctions, it will be important to continue to present a united front. So we are seeing progress, but ultimately this will need to be proved by a better UK record of sanctions, visa bans, asset seizures and active prosecutions. Will the law be backed by action? The days of the UK being a dumping ground for illegal black money need to come to an end, and I hope that this Bill will act as a spark to get the process moving.

Chris Bryant: I shall be brief, Mr Speaker. Several hon. Members have spoken about the dangers of our legislation meaning that dodgy money will leave the overseas territories and go to some other kind of territory. First, that will probably be a good thing for each of those territories. Secondly, and far more importantly, all too often the way we have run our affairs in this country, and how our overseas territories have run theirs, has meant we have been a magnet for that money. For a series of different reasons, rich people who have stolen money from their own people like having it squirreled away here or in our overseas territories and, as is normally the case, in a mixture of the two. That is because they like to send their children to our expensive schools; because they like to go shopping in the UK; because, ironically enough, they like to enforce their contracts in law in British courts; and because they know that the whole system of financial and land registration in this country is relatively weak. That is why I warmly welcome the changes we are going to bring about.

4.15 pm

In the end, money and assets are only ever hidden from public sight either because they have come from some illegal source in the first place, or because somebody is trying to prevent the legitimate authorities in other countries from taxing or taking them. Public registers are the only way to make sure that what is on a register is verifiably true and correct. The public are often a much better investigator than the investigating authorities, which simply do not have the time or the resources to do the job fully, as we have seen from the Paradise papers and in other ways recently.

Over the years, I have asked a Prime Minister—one or other of them—32 times for a Magnitsky provision. Perhaps, in the end, one has to get Conservatives on board. Perhaps it is good to have Conservative friends. Many Conservative Members, including some who are not present because they are Ministers, such as the
hon. Member for Esher and Walton (Dominic Raab), and particularly the hon. Member for Huntingdon (Mr Djanogly), who just spoke, have been adamant in their pursuit of this matter. They have been very clear and sometimes courageous in trying to tell their Government that we need to act. Ironically, on 7 March 2013 the House agreed unanimously that we would bring in a Magnitsky measure; I am glad that we are now finally going to do it.

The hon. Member for Isle of Wight (Mr Seely) referred to Richard and Christopher Chandler. I have seen the documents as well, and it is important to bear in mind that at the heart of them is an allegation of money laundering. It is about taking money that has come from decidedly dodgy sources—often stolen from the Russian people—and cleansing it, as it were, through the system so that it can be used for other illegitimate means. The fact that that has infected our country’s political system should be a matter of concern for us all.

In the end, I see this all in the context of our relationship with the Russian Federation. I have been concerned for some time that we tend to take two steps forward and one step back, or sometimes one step forward and two steps back. After the Salisbury incident, it was great that the Prime Minister managed to secure such a strong backing from so many countries around the world for the expulsion of so-called diplomats, but if we do not match that action with action on financial liberality and people’s ability to slosh their dirty money around other parts of the world, the Russians simply will not take it seriously. It is interesting that the American sanctions on Oleg Deripaska have for the first time made him start to retreat from various different markets, including with En+, a business that frankly should never have been registered in this country in the first place.

Liam Byrne: Does my hon. Friend agree that the next big international opportunity to make progress on this issue is the G20 in November? If we are to help to lead the argument, we must have the moral credibility of having taken action ourselves.

Chris Bryant: I completely agree, and that is also why I agree with the kind of approach that the hon. Member for Isle of Wight tried to enjoin on the whole House—not only on those from different political backgrounds, but also on all the different silos, including defence, foreign policy, work and pensions and the Treasury—to try to make sure that we have a united, coherent, consistent and, to use a valleys word, “tidy” approach towards the Russians. That was not “a valet’s word”, but a valleys word—[Laughter.]

Richard Benyon: Language is really important, and I know that the hon. Gentleman will agree that when we talk about Russia’s malign influence, we are talking about the Russian regime and the coterie of criminals that surrounds it, of which the Russian people are the victims. The Magnitsky amendment we will pass today is the most pro-Russian piece of legislation that we can pass.

Chris Bryant: I agree; I do not think that there is a single Member of this House who does not have profound respect for the people of Russia and for the country of Russia, and for what it has given to us culturally and in so many other ways over the centuries. But what a pain it is to us to see a country that was reaching out for liberty suddenly find itself crushed under the heel again. It is a country that should be one of the great advancing economies of today, but it is in stagnation, with barely 1% growth. That is why all of us, from all parts of this House, have campaigned to take a robust attitude to Russia.

Finally, the Russian ambassador tweeted the other day that he wants to meet the all-party group for Russia, which I chair. He is not answering his phone—I am not sure whether he is busy on something else—but we will have him next Wednesday afternoon at 2.30 pm if anyone wants to hear his view of things.

Nick Herbert (Arundel and South Downs) (Con): I was pleased to add my name to new clause 6, and I congratulate the right hon. Member for Barking (Dame Margaret Hodge) and my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) on bringing it forward. I will not repeat the powerful arguments that have been made for transparency today—they were also well made on Second Reading—other than to say that progress has been made in the overseas territories. Central registers have been introduced, but that is not sufficient for the reasons that have been given. We need that transparency to shine a light on what is happening. I suspect that there has been relatively little interrogation of the central registers by law enforcement authorities. There also needs to be a step up in law enforcement action as well as in these measures.

Two principal concerns were adduced to explain why we should at least hesitate before we compel the overseas territories to act. The first is the potential economic damage to the overseas territories. I argued strongly on Second Reading that that should not be an impediment to act. It can never be an argument that, where something wrong is being done, we fail to act simply because there might be some economic consequences. We do, however, have a duty to ensure that those economic consequences are addressed and that we help to mitigate them.

In accepting the new clause, there is a strong responsibility on this House, and now on the Government, to ensure that there is no damage to the economies of the overseas territories for taking action, especially as they may now be taking it more rapidly than they wished to, particularly when we consider, for instance, the impact of the hurricane damage on the British Virgin Islands. That concern should not prevent action, but it should be taken seriously.

The second concern is the constitutional objection: is it right for us to intervene? That is a serious argument. Again, on Second Reading, I argued that if the harm that is being done is so great that it can no longer be ignored, there is a justification to act, and there clearly is a power to do so. These are not just domestic matters for the overseas territories in which we have decided to intervene; they have a global impact. It is therefore very important for the Governments of the overseas territories to understand the reasons why this House has felt it so important to move. If they can act voluntarily, ahead of any action being taken legislatively, that would be very welcome.

Robert Neill: I thank my right hon. Friend for giving way on that important point. Does he accept that it is for that reason, and that reason only, that the Chief Minister
of Gibraltar wrote the letter in the way that he did—because it is the constitutional convention that we do not normally legislate without the territories' consent? And it is for that reason, and that reason only, that the Crown dependencies, which have a good record of compliance, had concerns about this form of legislation undermining the long-established doctrine that we do not legislate for them without their consent. It is not the objective that anyone objects to in any of those jurisdictions, but this should be done through the normal constitutional process.

Nick Herbert: The Crown dependencies do not fall within the ambit of new clause 6, as my right hon. Friend the Member for Sutton Coldfield pointed out. They are in a different constitutional position.

The wider point is this: I would have been minded to accept the Government’s compromise amendments and new clauses had the House had the opportunity to consider them. We should have avoided, if at all possible,dictating to the overseas territories what to do, but that option was not available. None the less, I welcome the fact that action is being taken.

In agreeing to new clause 6, the key concession that the Government made was that it was no longer acceptable that the overseas territories should move only at the pace of the rest of the world. As my right hon. Friend the Minister for Europe and the Americas said, the key concession was that he accepted that the will of the House was that the overseas territories should move ahead of the pace of the rest of the world for reasons that have been very well made by Members on both sides of the House. That said, we should not lose sight of the objective here. The objective is not to force the overseas territories to take action, but to ensure that we tackle corruption where we find it, and that has to be done on a global basis.

The arguments that there will be displacement should not be an impediment to action, because we can never argue that we will not tackle a crime on one street corner in case it moves to the next. That can never be a moral argument or a reason not to take action. Nevertheless, it is a serious argument. What are we going to do to avoid displacement? The imperative is therefore on the Government and on this place, which has now forced the action, to support every effort possible to mobilise the global community behind transparency for everyone.

This House and the UK will be taking a lead, and we will be requiring our overseas territories to take a lead, but we now have to step up. That may mean taking initiatives such as having another global summit to encourage action, as the anti-corruption champion, my hon. Friend the Member for Weston-super-Mare (John Penrose), suggested. Whether it is through means such as the G20 or the G7, we must now drive action on a broader basis than simply the overseas territories or the Crown dependencies.

John Penrose: I completely back up what my right hon. Friend is saying. The time for global action must be now. We need to use the lead that we will create by imposing this measure to drive and exert a global leadership. It must be about not just the transparency of company disclosures but the transparency of trust disclosures and other kinds of asset classes as well as company shares.

Nick Herbert: I agree. In taking this action and ultimately, if necessary, requiring the overseas territories to act, we will be taking a grave step—one that has only been used twice before in relation to the decriminalisation of homosexuality and to capital punishment. It is a serious move. The justification must therefore be that we use this step to encourage action globally, and that is what I urge the Government to do.

Sammy Wilson: On behalf of the Democratic Unionist party, may I welcome the changes that the Government have made regarding the Magnitsky amendment? It is likely to have an impact on those who think that they can get away with human rights abuses and hide behind and use their wealth in the United Kingdom. However, I am disappointed that we have not discussed on the Floor of the House the Government amendment and new clauses that were tabled as alternatives to new clause 6.

I have two main concerns. Coming from Northern Ireland, I know the impact on devolved Administrations of interference in devolved matters by the Government at Westminster, and I also know the impact that this can have on those with nationalist tendencies. New clause 6 presents a real danger in this regard. People have had to do constitutional somersaults in the House today. The Scottish National party, which has vigorously defended the rights and independence of the devolved Administration in Scotland, now suddenly has no difficulty supporting interference in the overseas territories.

Hannah Bardell: Will the right hon. Gentleman give way?

Sammy Wilson: Let me finish my argument. The point has been made that the SNP has done a constitutional somersault because this issue is of such importance. Well, during debates on the European Union (Withdrawal) Bill, the Scottish National party was quite happy to have things devolved to the Scottish Parliament that could have broken up the internal market of the United Kingdom and affected the economy of the whole country, yet they insisted that it was their right for those things to be devolved. This constitutional somersault indicates that a different attitude has been adopted towards the overseas territories on this issue, and it is an attitude that we will live to regret.

The Minister has said that he will hold the hand of the overseas territories, give them support, encourage them along and give them the opportunity to have a say in what goes into the Order in Council. Nevertheless, those who have already done a lot of what has been asked of them will feel that we have brought down a heavy hand on them.

Hannah Bardell: Can the hon. Gentleman name one Scottish policy—just one—that impinges on the human rights or the economy of the rest of the UK?

Sammy Wilson: This is the first time we have ever had a qualification put on the Scottish National party’s view that devolution is sacrosanct. All through the debates we have had in this House about the sacrosanct nature of devolved Administrations, there has never, ever been a qualification, but today we have the qualification added—
New Clause 6
PUBLIC REGISTERS OF BENEFICIAL OWNERSHIP OF COMPANIES REGISTERED IN BRITISH OVERSEAS TERRITORIES

(1) For the purposes of the detection, investigation or prevention of money laundering, the Secretary of State must provide all reasonable assistance to the governments of the British Overseas Territories to enable each of those governments to establish a publicly accessible register of the beneficial ownership of companies registered in each government’s jurisdiction.

(2) The Secretary of State must, no later than 31 December 2020, prepare a draft Order in Council requiring the government of any British Overseas Territory that has not introduced a publicly accessible register of the beneficial ownership of companies within its jurisdiction to do so.

(3) The draft Order in Council under subsection (2) must set out the form that the register must take.

(4) If an Order in Council contains requirements of a kind mentioned in subsection (2)—
(a) it must be laid before Parliament after being made, and
(b) if not approved by a resolution of each House of Parliament before the end of 28 days beginning with the day on which it is made, it ceases to have effect at the end of that period (but without that affecting the power to make a new Order under this section).

(5) In calculating a period of 28 days for the purposes of subsection (4), no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

(6) For the purposes of this section, “British Overseas Territories” means a territory listed in Schedule 6 of the British Nationality Act 1981.

(7) For the purposes of this section, “a publicly accessible register of the beneficial ownership of companies” means a register which, in the opinion of the Secretary of State, provides information broadly equivalent to that available in accordance with the provisions of Part 21A of the Companies Act 2006.”

This new clause would require the Secretary of State to take steps to provide that British Overseas Territories establish publicly accessible registers of the beneficial ownership of companies.—(Dame Margaret Hodge.)

Brought up, and added to the Bill.

New Clause 19
SCOTTISH LIMITED PARTNERSHIPS: UK BANK ACCOUNT REQUIREMENT

(1) For the purposes of preventing money laundering, where a limited partnership registered in Scotland has general partners at least one of those must have an active UK bank account.

(2) Where a limited partnership registered in Scotland has limited partners at least one of those must have an active UK bank account.

(3) In this section—
(a) “limited partnership registered in Scotland” means a partnership registered under the Limited Partnerships Act 1907;
Sanctions and Anti-Money Laundering Bill [Lords]

1 MAY 2018

Sanctions and Anti-Money Laundering Bill [Lords]

Tellers for the Ayes:
Angela Crawley and David Linden

NOES

Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Philip
Davies, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Lao
Dodd, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Dyke-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
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

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
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Adams, Nigel
Afolami, Bim
Afridi, Adam
Aldous, Peck
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
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenbrow, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Carlitidge, James
Cash, Sir William
Caufield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg

McGovern, Alison
McInnes, Liz
McKinnell, Catherine
Mahon, Jim
McMorrin, Anna
Mears, Ian
Milliband, rh Edward
Monaghan, Carol
Moores, Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
Onasanya, Fiona
On, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennock, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Pitchcock, 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 Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virenda
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulp
Skelton, Mr Dennis
Slaughter, Andy
Smeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smithy, Karin
Sneath, Gerald
Sobel, Tony
Spellar, rh John
Starmer, rh Keir

Stepsens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Swinson, Jo
Tami, Mark
Thewiss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Lancaster, rh Mark

Latham, Mrs Pauline

Leadson, rh Andrea

Lee, Dr Philip

Lefroy, Jeremy

Leigh, Sir Edward

Leitwin, rh Sir Oliver

Lewer, Andrew

Lewis, rh Brandon

Lewis, rh Dr Julian

Liddell-Grainger, Mr Ian

Lidington, rh Mr David

Little Pengelly, Emma

Lopez, Julia

Lopresti, Jack

Lord, Mr Jonathan

Loughton, Tim

Mackinlay, Craig

Main, Mrs Anne

Mak, Alan

Malthouse, Kit

Mann, Scott

Masterton, Paul

May, rh Mrs Theresa

Maynard, Paul

McLoughlin, rh Sir Patrick

McVey, Ms Esther

Menzies, Mark

Merce, Johnny

Merriman, Huw

Metcalfe, Stephen

Miller, rh Mrs Maria

Milling, Amanda

Mills, Nigel

Milton, rh Anne

Mitchell, rh Mr Andrew

Moore, Damien

Mordaunt, rh 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, rh Caroline

Norman, Jesse

O’Brien, Neil

Offord, Dr Matthew

Opperman, Guy

Paisley, Ian

Parish, Neil

Patel, rh Priti

Pawsey, Mark

Penning, rh Sir Mike

Penrose, John

Perry, Andrew

Perry, rh Claire

Philp, Chris

Pincher, Christopher

Poulter, Dr Dan

Pow, Rebecca

Prentis, Victoria

Prior, Mr Mark

Pritchard, Mark

Pursglove, Tom

Quinn, Jeremy

Quince, Will

Raab, Dominic

Redwood, rh John

Rees-Mogg, Mr Jacob

Robertson, Mr Laurence

Robinson, Gavin

Robinson, Mary

Ross, Douglas

Rowley, Lee

Rudd, rh Amber

Rutley, David

Sandsbach, 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, rh Julian

Smith, Royston

Soames, rh Sir Nicholas

Soubry, rh Anna

Spelman, rh Dame Caroline

Spencer, Mark

Stephenson, Andrew

Stevenson, John

Stewart, Bob

Stewart, lain

Stewart, Rory

Streeter, Mr Gary

Sturt, rh Mel

Stuart, Graham

Sturdy, Julian

Sunak, Rishi

Swayne, rh Sir Desmond

Swire, rh Sir Hugo

Syms, Sir Robert

Thomas, Derek

Thomson, Ross

Throup, Maggie

Tomlinson, Michael

Tracey, Craig

Tredinnick, David

Trevelyan, Mrs Anne-Marie

Truss, rh Elizabeth

Tugendhat, Tom

Vaizey, rh Mr Edward

Vara, Mr Shalesh

Vickers, Martin

Villiers, 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, rh Sammy

Wollaston, rh Sarah

Wood, Mike

Wragg, Mr William

Zahawi, Nadhim

Mr Cox: On a point of order, Mr Speaker. As you know, at the conclusion of the debate on the amendments, I informed you that I wished to raise a point of order. I intervened on several occasions in the debate and I should have made it clear—as I would have called me to speak—that I have on occasions practised in some of the Caribbean countries that formed the basis of our discussion in my capacity as a member of the Bar. I have done that for more than 20 years and I have a familiarity with those jurisdictions as a result. The other matter I wish to raise is that before the commencement of the debate you informed us that you were not able to select the Government amendments. Can you clarify whether it was open to you to select those amendments, because you mentioned also that they had been submitted late? So that there should be no misunderstanding, especially outside the House, will you confirm that it would have been open to you, even though they were submitted late?

Mr Speaker: Yes, I do not wish to be unclear to the hon. and learned Gentleman, but—uncharacteristically for someone who is normally as fastidious and precise in his use of language and exegesis of what others say—he errs in quoting me. He said that I had indicated that I was not able to select the amendments. I accept that the error is inadvertent and not deliberate, but I never said that I was not able to select the amendments. I said at the outset that I had decided not to use my discretion to select the late starred new clauses and
amendments from the Government, which were tabled yesterday afternoon and appeared in print for the first time only this morning. I absolutely accept that I have discretion in the matter, and I used that discretion as I thought right.

As for the other part of the hon. and learned Gentleman’s point of order, he was being most courteous in advising the House of that matter, but—and I do not mean this in any sense discourteously—I think it would be true to say that he was more interested in what he had to say to me and to the House than anything that I might have to say to him on the subject. He has made his point with force and clarity and I thank him for doing so.

Hannah Bardell: On a point of order, Mr Speaker. I seek your guidance. New clause 6 has just passed in a spirit of cross-party co-operation. I find it interesting that the right hon. Member for East Antrim (Sammy Wilson) spoke so vigorously against the new clause. What can we do to ensure that Members who speak so blooded speech, the responsibility to declare an interest

Mr Speaker: I think the hon. Gentleman has achieved his objective. I gently point out that I still have propositions to put to the House and there is not a huge amount of time for the second group. I hope that that is the end to points of order. I thank the hon. Gentleman for what he has said.

Amendments made: Amendment 10, page 2, line 11, clause 1, at end insert—

“(ea) provide accountability for or be a deterrent to gross violations of human rights, or otherwise promote—

(i) compliance with international human rights law, or

(ii) respect for human rights,”.

This amendment makes clear that sanctions regulations can be made for the purpose of preventing, or in response to, a gross human rights abuse or violation.

Amendment 11, page 2, line 12, leave out “and human rights”.

This amendment is consequential on Amendment 10.

Amendment 12, page 2, line 16, leave out “human rights”.

This amendment is consequential on Amendment 10.

Amendment 13, page 2, line 38, at end insert—

“(6A) In this Act any reference to a gross violation of human rights is to conduct which—

(a) constitutes, or

(b) is connected with,

the commission of a gross human rights abuse or violation; and whether conduct constitutes or is connected with the commission of such an abuse or violation is to be determined in accordance with section 241A of the Proceeds of Crime Act 2002.”

This amendment establishes that “gross violation of human rights” includes the torture of a person, by a public official or a person in an official capacity, where the tortured person has sought to expose the illegal activity of a public official or to defend human rights or fundamental freedoms.

Amendment 14, page 3, line 3, after first “to” insert “(e), (ea) and (f) to”.—(Sir Alan Duncan.)

This amendment is consequential on Amendment 10.

Clause 2

Types of Sanction

Amendment made: 15, page 3, line 26, clause 2, after “to” insert “(e), (ea) and (f) to”.—(Sir Alan Duncan.)

This amendment is consequential on Amendment 10.

Clause 28

Review of Regulations

Amendment made: 16, page 22, line 25, clause 28, after “to” insert “(e), (ea) and (f) to”.—(Sir Alan Duncan.)

This amendment is consequential on Amendment 10.

Clause 40

Revocation and Amendment of Regulations under Section 1

Amendment made: 17, page 31, line 39, clause 40, after “to” insert “(e), (ea) and (f) to”.—(Sir Alan Duncan.)

This amendment is consequential on Amendment 10.
Clause 56

EXTENT

Amendment made: 20, page 43, line 7, clause 56, after first “1”, insert “, section (Public registers of beneficial ownership of companies registered in British Overseas Territories)”.—(Dame Margaret Hodge.)

This amendment is consequential on NC6.

Clause 57

COMMENCEMENT

Amendment made: 18, page 43, line 31, clause 57, at end insert—

“( ) section (Periodic reports on exercise of power to make regulations under section 1);”—(Sir Alan Duncan.)

This amendment has the effect that the commencement date of clause (Periodic reports on exercise of power to make regulations under section 1) is the day on which the Act is passed.

New Clause 4

INDEPENDENT REVIEW OF REGULATIONS WITH COUNTER-TERRORISM PURPOSE

‘(1) The Secretary of State must appoint a person to review the operation of such asset-freeze provisions of relevant regulations made by the Secretary of State as the Secretary of State may from time to time refer to that person.

(2) The Treasury must appoint a person to review the operation of such asset-freeze provisions of relevant regulations made by the Treasury as the Treasury may from time to time refer to that person.

(3) The persons appointed under subsection (1) and (2) may be the same person.

(4) In each calendar year, by 31 January—

(a) the person appointed under subsection (1) must notify the Secretary of State of what (if any) reviews under that subsection that person intends to carry out in that year, and

(b) the person appointed under subsection (2) must notify the Treasury of what (if any) reviews under that subsection that person intends to carry out in that year.

(5) Reviews of which notice is given under subsection (4) in a particular year—

(a) may not relate to any provisions that have not been referred before the giving of the notice, and

(b) must be completed during that year or as soon as reasonably practicable after the end of it.

(6) The person who conducts a review under this section must as soon as reasonably practicable after completing the review send a report on its outcome to—

(a) the Secretary of State, if the review is under subsection (1), or

(b) the Treasury, if the review is under subsection (2).

(7) On receiving a report under this section the Secretary of State or (as the case may be) the Treasury must lay a copy of it before Parliament.

(8) The Secretary of State may pay the expenses of a person who conducts a review under subsection (1) and also such allowances as the Secretary of State may determine.

(9) The Treasury may pay the expenses of a person who conducts a review under subsection (2) and also such allowances as the Treasury may determine.

(10) For the purposes of this section, regulations are “relevant regulations” if—

(a) they are regulations under section 1, and

(b) they state under section 1(3) at least one purpose which—

(i) is not compliance with a UN obligation or other international obligation, and

(ii) relates to counter-terrorism.

(11) A purpose “relates to counter-terrorism” if the report under section 2 in respect of the regulations indicated that, in the opinion of the appropriate Minister making them, the carrying out of that purpose would further the prevention of terrorism in the United Kingdom or elsewhere.

(12) For the purposes of this section a provision of relevant regulations is an “asset-freeze provision” if and to the extent that it—

(a) imposes a prohibition or requirement for a purpose mentioned in section 3(1)(a), (b) or (d), or

(b) makes provision in connection with such a prohibition or requirement.

(13) If a provision is referred under this section which contains a designation power, any review under this section of the operation of that provision may not include a review of any decisions to designate under that power.”

This new clause requires the appointment of an independent reviewer to conduct reviews of sanctions regulations which impose asset-freezes or similar financial sanctions where the regulations are made for purposes relating to the prevention of terrorism and have been referred to the independent reviewer for review.—(John Glen.)

Brought up, and read the First time.

The Economic Secretary to the Treasury (John Glen): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss the following:

Government new clause 5.

Government new clauses 15 to 17.

New clause 2—Companies House: due diligence and resources—

“(1) For the purposes of preventing money laundering, the Companies Act 2006 is amended as follows.

(2) In section 1061 (the registrar’s functions) after subsection (1) insert—

‘(1A) Functions directed by the Secretary of State under subsection (1)(b) must include due diligence on a person wishing to register a company.

(1B) In this section ‘due diligence’ has the same meaning as ‘customer due diligence measures’ in regulation 3 of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (S.I. 692/2017).”’

(3) In section 1063 (Fees payable to the registrar), in subsection (2)(a) after ‘Secretary of State’ insert ‘including the duty of due diligence under section 1061(1A).’

This new clause would amend the duties of Companies House to ensure that any person wishing to register a company must be checked for due diligence by Companies House, in line with the European Union (Withdrawal) Act 2018.

New clause 7—Money laundering exemptions—

“The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (S.I. 2017/692) are exempted from amendment or revocation under the Legislative and Regulatory Reform Act 2006 and under the European Union (Withdrawal) Act 2018.”

This new clause would prevent any amendment or repeal of the 2017 Money Laundering Regulations via powers contained in the Legislative and Regulatory Reform Act 2006 and the European Union (Withdrawal) Act 2018.
New clause 8—Public register of beneficial owners of overseas entities—

“(1) The Secretary of State must, in addition to the provisions made under paragraph 6 of Schedule 2, create a public register of beneficial ownership information for companies and other legal entities registered outside of the UK that own or buy UK property, or bid for UK government contracts.

(2) The register must be implemented within 12 months of the day on which this Act is passed.

(3) For the purposes of this section ‘a register of beneficial ownership for companies and other legal entities registered outside of the UK’ means a public register—

(a) which contains information about overseas entities and persons with significant control over them, and

(b) which in the opinion of the Secretary of State will assist in the prevention of money laundering.

This new clause would create a public register of beneficial ownership information for companies and other legal entities registered outside of the UK that own or buy UK property, or bid for UK government contracts, within 12 months.

New clause 10—Parliamentary committee to scrutinise regulations—

“(1) A Minister may not lay before Parliament a statutory instrument under section 49(5) unless a Committee of the House of Commons charged with scrutinising statutory instruments made under this Act has recommended that the instrument be laid.

(2) The committee of the House of Commons so charged under subsection (1) may scrutinise any reviews carried out under section 28 of this Act.”

This new clause would require a specialised House of Commons Committee to approve all statutory instruments laid under the affirmative procedure under this Act. The Committee would also scrutinise the Government’s reviews of sanctions regulations.

New clause 11—Failure to prevent money laundering—

“(1) A relevant body (B) is guilty of an offence if a person commits a money laundering facilitation offence when acting in the capacity of a person associated with B.

(2) For the purposes of this section “money laundering facilitation offence” means—

(a) concealing, disguising, converting, transferring or removing criminal property under section 327 of the Proceeds of Crime Act 2002 (concealing etc);

(b) entering into an arrangement which the person knows, or suspects, facilitates (by whatever means) the acquisition, retention, use, or control of criminal property under section 328 of the Proceeds of Crime Act 2002 (arrangements); or

(c) the acquisition, use or possession of criminal property, under section 329 of the Proceeds of Crime Act 2002 (acquisition, use and possession).

(3) It is a defence for B to prove that, when the money laundering facilitation offence was committed, B had in place adequate procedures designed to prevent persons acting in the capacity of a person associated with B from committing such an offence.

(4) A relevant body guilty of an offence under this section is liable—

(a) on conviction on indictment, to a fine;

(b) on summary conviction in England and Wales, to a fine; or

(c) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding the statutory maximum.

(5) It is immaterial for the purposes of this section whether—

(a) any relevant conduct of a relevant body, or

(b) any conduct which constitutes part of a relevant criminal offence, takes place in the United Kingdom or elsewhere.

(6) In this section, ‘relevant body’ and ‘acting in the capacity of a person associated with B’ have the same meaning as in section 44 of the Criminal Finances Act 2017 (meaning of relevant body and acting in the capacity of an associated person).”

This new clause would make it an offence if a relevant body failed to put in place adequate procedures to prevent a person associated with it from committing a money laundering facilitation offence. A money laundering facilitation offence would include concealing, disguising, converting, transferring or removing criminal property under section 327 of the Proceeds of Crime Act 2002.

New clause 12—Public register of beneficial ownership of trusts and similar legal arrangements—

“(none) The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 are amended by leaving out paragraph (12) of regulation 45 (Register of beneficial ownership) and inserting—

‘(12) The Commissioners must ensure that the register is published.’

This new clause would require the Government to publish the register of beneficial ownership of trusts and similar legal arrangements on the day this Act is passed.

New clause 13—Due diligence—

“(1) For the purposes of preventing money laundering, when a company is formed, any company formation agent providing formation services must ensure that the identity and business risk profile of all beneficial owners of the company are established in accordance with—

(a) the customer due diligence measures under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (S.I. 2017/692),

(b) regulations made under section 44 of this Act, or


(2) For the purposes of subsection (1), Companies House is to be treated as a ‘company formation agent’.

This new clause would ensure that when a company is formed in the UK, the relevant formation services must identify the beneficial owners of the company. It will also treat Companies House as a “company formation agent”, ensuring that the data on the public register of beneficial ownership for companies is accurate.

New clause 18—Winding up companies of designated persons—

“(1) The Secretary of State may, in respect of a designated person subject to sanctions regulations under this Act—

(a) present a petition under section 124A of the Insolvency Act 1986 to wind up a company owned or controlled by a designated person; and

(b) make a disqualified order under section 8 of the Company Directors Disqualification Act 1986 against a designated person who is or has been a director or shadow director of a company or an overseas company.

(2) In this section, ‘company’ means a company registered under the Companies Act 2006 in the United Kingdom or a company that may be wound up under Part 5 of the Insolvency Act 1986 (unregistered companies).

(3) In this section, ‘overseas company’ means a company incorporated or formed outside the United Kingdom.”

This new clause would ensure the Secretary of State could close down companies owned or controlled by a person subject to sanctions under this Act using the pre-existing powers in the Insolvency Act 1986 and Company Directors Disqualification Act 1986.

New clause 20—Periodic review of exercise of powers and operation of Act—

“(1) As soon as reasonably practicable after the end of—

(a) the period of six months beginning with the day this Act is passed, and
(b) every 12 month period which ends with the first or subsequent anniversary of the end of the period mentioned in the preceding paragraph,

(2) Subject to issues of confidentiality the said report shall include a summary of any representations made in relation to the exercise or proposed exercise of the powers and the response of the appropriate Minister to the same.

(4) The Independent Reviewer appointed pursuant to section 20 of the Terrorism Prevention and Investigation Measures Act 2011 (‘the 2011 Act’) shall include a review of the operation of this Act in the reports by the Independent Reviewer produced pursuant to the 2011 Act."

This new clause would require a periodic review of the exercise of the powers and operation of this Act six months after Royal Assent and every 12 months thereafter.

Amendment 1, page 1, line 1, clause 1, leave out “appropriate” and insert “necessary”.

Amendment 2, page 2, line 17, at end insert—

“(i) further the prevention of organised crime, or
(j) further the prevention of human trafficking.”

Government amendment 23.

Amendment 29, page 15, line 4, clause 15, at end insert—

“(i) provide for the procedure to be followed for an application for an exception or licence”.

This amendment would ensure that the regulations will include a procedure for applying for an exception or for a licence.

Government amendment 24.

Amendment 3, page 20, line 12, clause 22, leave out “3 years” and insert “12 months”.

Amendment 4, page 20, line 14, leave out “3 years” and insert “12 months”.

Amendment 5, page 21, line 36, clause 26, leave out “3 years” and insert “12 months”.

Amendment 6, page 21, line 38, leave out “3 years” and insert “12 months”.

Amendment 7, page 31, line 12, clause 38, leave out “may include guidance about”— and insert “must include, but is not limited to, guidance about—”.

Amendment 8, page 31, line 15, at end insert—

“(3) The appropriate Minister must review the guidance issued under this section and lay a report before Parliament every 12 months.”

Government amendment 25.

Amendment 21, page 36, line 8, clause 48, leave out paragraph (a).

This amendment would remove paragraph 2(a) from Clause 48, which enables the appropriate Minister to amend, repeal or revoke enactments for regulations under section 1 or 44 using Henry VIII powers.

Amendment 9, page 37, line 27, clause 49, at end insert—

“(5A) A statutory instrument containing regulations under section 1 that repeals, revokes or amends—
(a) an Act of the Scottish Parliament,
(b) a Measure or Act of the National Assembly for Wales, or
(c) Northern Ireland legislation,

must receive the consent of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly, respectively.”

This amendment would require the UK Government to obtain the consent of the devolved administrations before repealing, revoking or amending devolved legislation using a statutory instrument containing regulations under section 1.

Amendment 22, page 39, line 4, clause 51, leave out subsection (3).

This amendment would remove subsection (3) of Clause 51, which states that if a reporting provision is not complied with, the appropriate Minister must publish a written statement explaining why that Minister failed to comply with it.

Government amendments 26 and 19.

Amendment 30, page 59, line 5, schedule 3, at end insert—

‘(4) The Solicitors (Scotland) Act 1980 is amended as follows. (5) Section 34(1)(d) is repealed.
(6) In section 35(1), after paragraph (c) insert—

(cc) as to the way in which solicitors and incorporated practices are to comply with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017’.”

This amendment would amend the Solicitors (Scotland) Act 1980, ensuring it is consistent with this Act.

Amendment 27, page 59, line 14, at end insert—

‘Insolvency Act 1986 (c. 45)

’(1) In section 124A of the Insolvency Act 1986 (petition for winding up on grounds of public interest), after paragraph (1)(d) insert—

(e) any information notified to the Secretary of State pursuant to regulations made under section 1 of the Sanctions and Anti-Money Laundering Act 2018.’”

This amendment, which is consequential on NC18, would amend the Insolvency Act 1986 to ensure it is consistent with this Act.

Amendment 28, page 59, line 14, at end insert—

‘Company Directors Disqualification Act 1986 (c. 46)

’(1) In section 8 of the Company Directors Disqualification Act 1986 (Disqualification of director on finding of unfitness), after paragraph (1) insert—

(1A) The Secretary of State may apply to the court for a disqualification order to disqualify a person who is, or has been, a director or shadow director of a company, if that person is subject to regulations made under section 1 of the Sanctions and Anti-Money Laundering Act 2018.”

This amendment, which is consequential on NC18, would amend the Company Directors Disqualification Act 1986 to ensure it is consistent with this Act.

John Glen: It is my privilege to address the second group of amendments, but before I do I would just like to acknowledge, as the hon. Member for Salisbury, the good will from across the House in light of the events of 4 March. With respect to the previous debate, I would like to acknowledge the work of my right hon. Friend the Member for Newbury (Richard Benyon), the hon. Member for Rhondda (Chris Bryant) and, in particular, my right hon. Friend the Minister for Europe and the Americas, who has done so much to come up with an outcome, which we have just expressed, that will mean a great deal to my constituents in Salisbury.

New clauses 2 and 13 aim to improve the quality of information on our company register. The Government believe that they would do so at a significant cost to UK business and would require considerable consequential change to the UK company law system for the measure to function. Companies House is taking active steps to improve the quality of data on the register. It has already increased its resourcing to support these investigations and more is being sought. Since the start of March, the first tranche of cases of non-compliance with beneficial ownership registration requirements were
passed from Companies House to the Insolvency Service. The cases will form the basis of the first prosecutions for non-compliance with such requirements and should be prosecuted shortly.

New clause 18 and amendments 27 and 28, which were tabled by the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle), allow for action to be taken against so-called brass-plate companies that breach sanctions. The reason that brass-plate companies have not been prosecuted or wound up relates to the challenges of collecting evidence of their activities, not a lack of legal powers. I look forward to hearing what he has to say, but the amendments do not provide any enhanced ability to take action against such companies. We continue to explore with partners across Government whether we could do more to address this issue, so I hope that in due course, hon. Members will agree to withdraw this set of amendments.

I now turn to amendment 19, to which new clause 5 has a similar purpose. These proposals seek to clarify the interaction of powers in the Bill with the provisions of the European Union (Withdrawal) Bill. New clause 7 seeks to constrain the powers of future Governments to amend the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017. However, the powers in the European Union (Withdrawal) Bill are necessary to ensure a functioning statute book immediately after the UK ceases to be a member of the EU.

Amendment 30 seeks to amend the Solicitors (Scotland) Act 1980 to give the Law Society of Scotland greater powers to conduct its role as an anti-money laundering supervisor. The Government strongly support all supervisors having adequate powers to effectively monitor and take measures to ensure compliance from their members and to use proportionate and dissuasive sanctions when their members do not comply with the rules. The Law Society of Scotland has raised with Treasury officials the issues that it would like to amend in legislation. They are looking closely at this issue and will continue to work with the Law Society of Scotland to address it. I therefore respectfully ask the hon. Member for Glasgow Central (Alison Thewliss) not to press that amendment, but no doubt we will have a discussion in due course.

New clause 8, on beneficial ownership, seeks to set down in legislation an obligation to implement, within 12 months of the Bill getting Royal Assent, our commitment to establishing a public register of company beneficial ownership of overseas companies that own or buy property in the UK. The UK was the first country in the G20 to establish a public register of company beneficial ownership, and Transparency International concluded that we are one of just three G20 countries with a “very strong” legal framework around beneficial ownership.

Let me be clear to the House that the Government are committed to establishing this register and to bringing increased transparency to UK property ownership. The Government committed in January to publishing a draft Bill before the summer recess, and we recently published our response to the call for evidence. We will legislate early in the next parliamentary Session to establish the register by 2021. We will be the first country to establish the register and it is important to get it right.

New clause 12 would require HMRC’s register of trusts that generate UK tax consequences to be published. Information held on the register is accessible to law enforcement agencies and allows them to readily draw together information on trusts, including offshore trusts, when they generate a UK tax consequence. However, trusts, unlike companies, do not have any independent legal personality in their own right. They are frequently established for legitimate and highly personal reasons, such as protecting assets for children or vulnerable adults. Placing this information into the public domain would infringe the privacy rights of trust beneficial owners and needlessly publicise the financial affairs of vulnerable people for whom trusts are established. I therefore ask Members not to press those amendments.

New clause 11 seeks to create a corporate criminal offence of failure to prevent money laundering, which is not necessary because of reforms to the anti-money laundering regime already in place. The proposed offence is substantively available in respect of firms regulated for anti-money laundering purposes by the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, which require regulated firms to have policies, controls and procedures to mitigate and manage risks of money laundering and terrorist financing. Failure to comply with these requirements is already a criminal offence.

Furthermore, through the introduction of the senior managers regime, banks are now required to ensure that a named senior manager has unequivocal responsibility for overseeing the firm’s efforts to counter financial crime. If a relevant firm breaches its anti-money laundering obligations, the FCA can take action against the responsible senior manager, if they can prove that they did not take such steps as a person in their position could reasonably have been expected to take to avoid the breach occurring. The new clause would not, therefore, go beyond the existing regulatory framework in this area.

Amendment 7, which stands in the names of the hon. Members for Bishop Auckland (Helen Goodman) and for Oxford East (Anneliese Dodds), would change “may include guidance about” to “must include” in respect of three stated areas of guidance. The amendment could be interpreted as limiting the areas on which the Government have committed to providing guidance to just the areas listed in the clause. With amendment 8, the hon. Members also wish the Government to review guidance issued under clause 38 on a yearly basis and submit a report to Parliament containing the results of that review. I see no grounds for instituting an additional review and reporting requirement in the Bill as there is already one in the Bill.

Helen Goodman: Those two amendments were tabled by the SNP.

John Glen: I am happy to be corrected, and I apologise to the hon. Lady.

Amendment 29 relates to the procedure by which individuals or entities apply for licences and exceptions to be included in the regulations. Retaining the application procedures in guidance will give the Government the flexibility to update them as needed and to respond to stakeholder feedback.

The Government have tabled new clause 4 because we recognise the concern raised by the Independent Reviewer of Terrorism Legislation and the Joint Committee on Human Rights that the repeal of part 1 of the
Amendment 1, tabled by the hon. Member for Glasgow Central, would mean that sanctions regulations could be created only when that was deemed “necessary” for the purposes of the Bill, rather than when it was deemed “appropriate”. For many years the use of sanctions has been an essential part of international diplomacy, to respond to threats such as terrorism or to change unacceptable or threatening behaviour. It is important for the Government of the day to have the flexibility to impose sanctions or not to do so, after a thorough review of the prevailing political situation. Changing “appropriate” to “necessary” would mean that the Government could consider sanctions only as the last resort.

Amendment 9 would require the legislative consent of the devolved Administrations for any sanctions regulation made under section 1, if that regulation included a consequential repeal of, revocation of, or amendment to any law created by those Administrations. The power to create sanctions regulations falls under matters that are reserved to Westminster, and that includes modifications consequential on those regulations. Under the UK’s constitutional settlement, foreign policy is a reserved matter. The Bill gives the Government the power to impose sanctions as a foreign policy and national security tool.

Alison Thewliss: I have already made this point to the Minister. I agree that the Scottish Parliament does not have the power to impose sanctions, but why do the UK Government want to say that we cannot do so when it is already clear that we cannot? Why should the Government revoke something that we cannot actually do?

John Glen: We contend that the amendment would change this part of the devolution settlement, and we have received no representations from the Scottish Government on it.

Amendment 21 would remove Ministers’ power to make consequential amendments, related to sanctions and anti-money laundering regulations, to existing primary and secondary legislation. That would remove the ability to ensure that the statute book works after sanctions have been imposed. The power is not unusual, and is confined to modifications that arise solely as a result of sanctions or anti-money laundering provision. In any case, regulations making such modifications of the statute book would be dealt with by the draft affirmative procedure, so both Houses would need to approve them before they could come into force. I ask the House to preserve that important power.

Let me make it clear that the Government support the principle of amendment 2, tabled by the hon. Member for Glasgow Central, which is to help prevent organised crime and human trafficking. Those are serious issues that we are strongly committed to tackling. However, as we have explained before, we do not think it necessary to state that sanctions regulations could be created for these purposes in the Bill, because it already provides the powers to impose sanctions in these cases.

Government new clause 5 is technical. It simply seeks to clarify the interaction of the powers in this Bill with the provisions of the European Union (Withdrawal) Bill. This Bill contains powers that enable the Government to amend retained EU law to impose or lift sanctions. The new clause simply makes it clear that restrictions in the European Union (Withdrawal) Bill do not prevent those powers from being exercised in the way that was intended.

Terrorist Asset-Freezing etc. Act 2010 would remove the independent reviewer’s oversight of domestic counter-terrorism asset freezes. Government new clauses 15 to 17 and amendments 23 to 26 will provide the UK Government with the powers necessary to enforce UK sanctions regulations against ships in international and foreign waters. These powers will ensure adherence to the standards set out in relevant UN Security Council resolutions and provide protection against the transportation of dangerous and harmful goods in international waters. These provisions contain important safeguards on the use of these powers, including a requirement to have reasonable grounds to suspect that sanctions are being flouted before enforcement action can be taken as well as flag state and foreign state consent where relevant.

New clause 20, tabled by the hon. Member for Glasgow Central—I hope I have got that one right—would oblige the Secretary of State to lay a report before Parliament each year on the exercise of the powers in the Bill. We have a range of reporting requirements in the Bill already, including an annual report on the sanctions regulations in force, and further reports when sanctions are imposed or amended. In addition, new clause 3 sets out reporting requirements for regulations made under the human rights purpose. We consider it unnecessary, therefore, to add an additional report on top of these, given that the issues that would be addressed in the report would be mirrored by those already required in the Bill.

Amendments 3 to 6, also tabled by the hon. Lady, would require that every sanctions designation be comprehensively re-examined annually. We agree that sanctions should only be in place for as long as there are good reasons for them to be so, and the Bill contains a range of procedures to ensure that all our sanctions are subject to regular scrutiny and review. We believe that three-year comprehensive reviews, combined with a robust package of procedural safeguards in the Bill, will ensure that these standards are at least maintained, so we would ask that she consider not pressing her amendments.

New clause 10, tabled by the hon. Members for Bishop Auckland and for Oxford East, would require statutory instruments that are to be considered under the draft affirmative procedure to receive a positive recommendation from a House of Commons Committee before being laid. All secondary legislation to which it would apply requires affirmative votes before coming into force, and we believe that that negates the need for additional parliamentary scrutiny. Sanctions are a manifestation of the UK’s foreign policy. They are not stand-alone or independent initiatives. Indeed, a number of existing parliamentary Committees have considered, or are planning to consider, sanctions issues, including the House of Lords EU Committee and the House of Commons Treasury Committee. It is not clear why further layers of scrutiny are necessary or desirable.

Amendment 22 would remove the requirement for Ministers to publish a written statement of explanation if they did not comply with a reporting provision. I should make it clear that this provision does not in any way displace the statutory duty to report; Ministers who fail to comply with that duty must face the consequences, regardless of whether an explanation is given.
Anneliese Dodds (Oxford East) (Lab/Co-op): I shall speak to amendment 21 and new clauses 8 and 13. I will try to be disciplined, as the Minister was, by keeping my remarks as brief as possible, but I would state that while many of us feel that we have seen some progress in terms of transparency for overseas territories, we need a much broader programme of reform so that we stamp out dirty money from the British financial system.

While the Minister referred to amendment 21, he failed to grasp its significance and intention. As with other Brexit-related Bills, the Opposition have many concerns about the wide-ranging powers that this Bill gives to Ministers, and in particular the way in which it gives Ministers the ability to amend, repeal or revoke legislation through regulations without appropriate scrutiny. We frequently cited Lord Judge in Committee, but it is appropriate that I do so one last time in this Chamber. He was very clear about the dangers of this power. As he said, it gives Ministers “regulation-making powers for this, that and the other”.

He is a very learned person and, as he put it, “the secondary will override the primary.”—[Official Report, House of Lords, 17 January 2018; Vol. 788, c. 718-19.]

I do not think that many Government Members could disagree with that. Clearly this is an excessive power. It is not justified by the need for speed, for reasons that were well rehearsed in Committee.

The Government have yet again today maintained that these powers are for the sole purpose of combating money laundering and maintaining a sanctions regime, but we heard just a few moments ago that these issues can be highly contentious. There can be different points of view within our parliamentary system on these matters, and that must be reflected in an appropriately inclusive parliamentary procedure.

The Committee advocated by Her Majesty’s Opposition is necessary precisely because the European Scrutiny Committee will not be operating in its same form after we leave the EU, and our sanctions policy will not be derived from the EU once we have left. That is surely the whole point, so we will need another body that can conduct that scrutiny. We will not want Members turning up on an ad hoc basis to a secondary legislation Committee ill briefed, ill prepared and not expert about the topics at hand. That is why we are making our call, and the arguments for such a body are self-explanatory.

Kelvin Hopkins (Luton North) (Ind): I am a member of the European Scrutiny Committee, and we do take the view that after Brexit there should be a Committee that can continue to keep an eye on what is happening in the EU, because that will still be important and very relevant to what happens in Britain.

Anneliese Dodds: And that Committee has been able to develop its expertise around some very complex issues. We will not have such expertise in the future without the kind of Committee that we are advocating. It will be spread across a range of Departments, as is the case with our sanctions, so there is a need for a group in which expertise can be built up among Members. Surely that is enormously important.

As the Minister said, new clause 8 would bring forward the timetable for introducing a public register for foreign-owned property in the UK, but it would do so only in relation to the Government’s current proposals. It would actually be behind the initial timetable that we were given by the Government for introducing such a register, according to which we should have seen developments last month, given that today is 1 May. I will not rehearse all the arguments made by my hon. Friend the Member for Hornsey and Wood Green (Catherine West).

Alex Sobel (Leeds North West) (Lab/Co-op): Global Witness has found that there are 86,000 anonymously-owned properties in the UK, many of which are empty. Does my hon. Friend agree that we should legislate so that we will know who owns these properties, and therefore be able to bring them into use by people in this country?

5.15 pm

Anneliese Dodds: My hon. Friend is absolutely right. I understand that those 80,000-plus properties, which are often owned through secrecy jurisdictions, are the ones that crop up most often in corruption investigations. It is often exactly that kind of property that appears to be used illicitly, and it is enormously important that we get a grasp of this problem. We have seen—through the various laundromat investigations, for example—how British property has been used not only to hide illicitly gotten gains, but to guarantee additional profit, because those properties can be let out, guaranteeing a future income stream.

In that regard, I will give the Government one more opportunity. I have asked them many times to indicate whose side they are on. Are they on the side of the investigative journalists who have shown us so much about the movement of dirty money through our financial system, either through the laundromat investigations or through the Paradise, Panama and Luxembourg leaks papers, or are they on the side of those who want to shut down debate on this matter? It would also be helpful to know whether they think it is appropriate that the BBC and The Guardian are being singled out by the firm Appleby and having legal action taken against them purely because they published information from the Panama papers leaks. They are the only two British companies to be singled out in that way.

Moving back to the substance of new clause 8, the Government initially intimated that they would introduce the register back in April. Instead, it now will not be available until 2021, but we heard nothing from the Minister about why that delay is necessary. Investigative reporters have already created a register of sorts that we can all access on the internet. It was created by journalists at Private Eye and other organisations who matched up Land Registry data with company data. I am not aware of any significant worries about the reliability of that information, so why are there so many concerns in this regard? The Financial Action Task Force is due to report soon on our systems to combat money laundering, and this is not the time to delay any action.

If Ministers feel the need to slow down the process in order to consult the Opposition and produce draft legislation, I can tell them that Labour Members support such a measure. The Government do not need to jump through hoops with this legislation—they can move ahead immediately with our full support—so there is no need for delay. In fact, there is every need for haste. I look forward to hearing whether Conservative Members...
think that there are genuine reasons for this hold-up, because I do not believe that there are any. There is cross-party support for the original timetable. Indeed, faster progress was urged by Conservative peers when the matter came up in the other place, so I hope that the Government will listen to them and to the Opposition, and deliver this register to an appropriate, faster timetable.

On the question of registers, the topic of trusts has been raised in previous debates as well as this one. In fact, it is covered by an Opposition amendment, and the Minister also mentioned it. Not having transparency for trusts will place us behind developments in the European Union, because there is now consensus at the EU level about the need to ensure that there will be transparency for business-like trusts, so we will be behind the curve on that one. Of course, the coalition Government lobbied against transparency for trusts, and we now know that David Cameron personally intervened to try to prevent it. However, this Government could take a different approach and introduce greater transparency, so I hope that they will shift that position.

On the offence of failure to prevent money laundering, I hope the House will not mind if I briefly ask the Minister when exactly we will see the Government response to the consultation and call for evidence, which ended last year, on the failure to prevent economic crime. Although that process ended many months ago, we still do not know what action the Government will take—we are still waiting. There is no lack of evidence for the need to take action; there is only a lack of will, sadly, and that needs to change.

Our new clause 13 is similar to the SNP’s new clause 2, but it is rather broader, as it deals with trust and company service providers, as well as Companies House. In the previous debate, the Minister for Europe and the Americas rightly drew attention to the fact that the UK was a frontrunner in adopting a public register of beneficial ownership. The Opposition are of course pleased that the Government have accepted the need for such a register for the overseas territories but, as Members on both sides of the House have said, we need to ensure that the information in any such register is accurate, and that is the point about which many concerns have been raised.

I have been in correspondence with the Minister and with the FCA about one particular case, namely that of the so-called Business Bank Italy, in which a number of rather strange figures seem to be involved. One of them gave his title as the Italian translation of “the chicken thief” and maintained that he lived on the “Street of 40 Thieves” in the town of “Ali Babba”. I have tried to find out whether he and those associated with him are being prosecuted, but he has certainly been under investigation in Italy, and some of his associates have been prosecuted for their involvement in the mafia over there.

In contrast, the only person to have been prosecuted—I would also say persecuted—in the UK for submitting false information is Kevin Brewer, who is actually a whistleblower. He created a fictitious company and told the world about it in the pages of a national newspaper, but his prosecution has since been held up as showing the Government’s determination to “come down hard on people who knowingly break the law”. He broke the law in order to show that the law was an ass under the current system, and it is a disgrace that he has been prosecuted when others seem to be able to operate with impunity. The right hon. Member for East Antrim (Sammy Wilson), who is no longer in the Chamber, referred to an 85-year-old who was exercising significant control in 25,800 companies, so it is essential that such individuals are investigated.

New clause 13 would require any company formation agent to carry out appropriate due diligence on the beneficial owners of the companies that they are forming. It would cover both trust and company formation service providers, and Companies House, where companies can be directly registered without anyone else being involved in the process. I will not re-run our debates during the Bill’s previous stages, but suffice it to say that rather than providing additional clarity—I say the same of the additional exchanges that I have had with Ministers since—the waters have only been muddied. There is a huge ambiguity about the precise role of Companies House. Some Ministers seem to resist the view that it should be responsible for checking data on the business database, while others say that it should exercise that kind of due diligence and is doing so perfectly well.

What I see as a parliamentarian, as do many businesspeople and others who are concerned about the fraudulent companies that appear to be able to operate with impunity, is Companies House sadly being severely behind the curve that has been set by crooks and criminals.

The Minister said that change would be difficult, but it would not. For example, when one registers a company with Companies House, one can enter whatever information one wants in the boxes on the website. That website does not even have the highly technologically sophisticated tool of a drop-down menu, which means that people can enter non-existent addresses, as I just mentioned, suggest that two-year-olds are people of significant control in a company and so on. The situation is ridiculous and dealing with it would not require a huge amount of investment.

We also need stronger action when it comes to the responsibilities of trust and company service providers. There is extensive evidence, most recently revealed by “Panorama”, that existing anti-money laundering legislation is insufficient to deter the money-laundering activity facilitated by some TCSPs.

I have had an extensive exchange of letters with the Treasury, and I am grateful to the Minister for corresponding with me on this subject, particularly regarding the problem of foreign TCSPs registering companies with Companies House. I have been informed by the Government that foreign TCSPs are of lower risk than UK-based ones, despite the fact they are not covered by UK anti-money laundering legislation. I received the latest letter this very morning, for which I am grateful, and it concludes by stating that foreign TCSPs are regulated by their home jurisdictions. That is okay then—they are regulated by their home jurisdictions, so there is no problem. Sadly the evidence suggests quite the opposite.

We have seen some positive moves from the Government today, under enormous pressure from Members on both sides of the House, on Magnitsky clauses and on beneficial ownership registers for overseas territories, but we need appropriate scrutiny of sanctions and anti-money laundering legislation, a return to something nearer the original timetable for foreign-owned property
registration, and the exercise of proper due diligence on the information submitted to our companies register if we are really to clean dirty money out of our financial system.

We have to stop crooks, criminals and the corrupt benefiting from our country’s good name. Our Government need to stop obfuscating and start acting.

Alison Thewliss: I rise to speak to the amendments in my name. I will rattle through them and say why they have been tabled. The primary concern is about Companies House. Very much as the hon. Member for Oxford East (Anneliese Dodds) has just said, we have laid out our serious concerns at all stages of the Bill. It is disappointing to get to this stage and find that the Government are still not listening to those concerns.

Companies House does not have the adequate resources or powers sufficiently to monitor and ensure the integrity of the company incorporation data submitted to it.

Hannah Bardell: Does my hon. Friend agree that it seems to be harder to open a gym membership than to register a company with Companies House?

Alison Thewliss: My hon. Friend is absolutely correct. Registering with Companies House seems to be the easiest thing possible. It is baffling that anything else, such as a tax return, a passport application or a driving licence application, needs to go through the gov.uk verify scheme, but Companies House does not have that requirement. Just tightening up those rules would help hugely both to ensure the accuracy of the information and to clamp down on those who wish to abuse the system. It is in all our interests to make sure the system is accurate, but it is not accurate.

Worse, there are only about 20 people at Companies House policing some 4 million firms’ compliance with company law. There are no proactive checks on the accuracy of the information submitted, which, as the hon. Member for Oxford East has just said, allows a significant amount of false and misleading data to be submitted to the companies register.

Bob Stewart (Beckenham) (Con): The hon. Lady says there are no proactive checks at Companies House, but if an outside person challenges an entry, surely the people at Companies House have to check it out. It is a criminal offence if an entry is wrong, is it not?

Alison Thewliss: The difficulty in all this is with enforcement. As the hon. Member for Oxford East pointed out, it has been very difficult to get anything to happen in the case of “the chicken thief”. The only person to be prosecuted so far is a whistleblower, which does not lead me to believe much will be done to those who abuse the system. The volume of data at Companies House makes such abuse very difficult to tackle. Indeed, investigative journalist Richard Smith has flagged up such things and has found it difficult to get any action. If a person submits the wrong name and address on their form, either deliberately or accidentally, how is the agency supposed to track down that person to get them to correct the information?

Not making the system accurate allows hon. Members to stand up in this place and say that transparency of registers does not work, but we know it does work if it is done properly and if we invest in it properly. We need to be careful to make sure that our own integrity is right, because if we are leading on transparency and beneficial ownership across the world, we need to make sure that what we are doing here—the intention around Companies House—is what is carried out in practice. Companies House needs more resource to allow that to happen.

5.30 pm

The Government need to make sure that Companies House can identify suspicious activity and act, and will carry out due diligence, and it needs resources. I was shocked to find out that Companies House is not obliged to act under the same anti-money laundering legislation as everybody else. Company formation agents, lawyers and people owning a firm are obliged to act under that. They have to do certain things, such as setting up a bank account. To get through all this anti-money laundering legislation, whereas Companies House is not under that legislation. It should be, because it was the primary resource for 40% of company incorporations last year: 40% of incorporations were done through Companies House, yet it does not fall under the anti-money laundering legislation.

Our new clause 2 therefore seeks to ensure that any person wishing to register a company must be checked for due diligence, in line with the money laundering regulations. It would also ensure that the Secretary of State could charge fees for due diligence checks. After all, it costs only £12 to register a company, which is a pretty low bar. When we consider the cost of everything else we might want to do in life, such as getting a passport or driving licence, applying for a gym membership and so on, we see that £12 to register a company seems low. We might expect someone registering a company to have more than £12 in the bank account in order to do that and have it done properly, so due diligence fees could be built into this as well. The Government need to act on this; otherwise, we leave the door wide open to money laundering, which reduces the whole integrity of the system.

On amendment 9, as I said to the Minister, it does not make sense for the Government to seek to overrule the devolved institutions on something they cannot do. That does not seem logical, and I cannot understand exactly why this approach is being taken. The Government have not given me an explanation for it, and I would still like this cleared up.

Our amendment 1 proposes removing the word “appropriate” and inserting “necessary”. We, like Labour Members, have been concerned that the powers given to Ministers in this Bill are very wide, so inserting “necessary” would give a bit of a check on the system. It is not an entire check, but it is a bit of one. This issue was discussed in the Lords and it remains a concern. We would not expect this Government to make sanctions willy-nilly, but this is not legislation just for this Government; it is for all future Governments, and we want to make sure there is a sufficient check on the system.

In previous debates, I have discussed our proposal, contained in amendments 3, 4, 5 and 6, to leave out “3 years” and insert “12 months”. I hear what the Minister says about the way in which the sanctions regime will operate—people will be checked and there will be a means of dealing with this—but this issue was also raised in the House of Lords. Lord Pannick considered the three-year period not quite justified:
It would be better if this were reviewed on a more regular basis.

Amendments 7 and 8 relate to what is in guidance. They might be seen as semantic or technical, but UK Finance and its members are concerned that without a more precise requirement, the guidance issued by Government will remain too high level and lacking sufficient detail.

Nobody who is trying to do a good thing, such as moving aid funds around the world, wishes suddenly to find themselves falling foul of sanctions because the guidance has not been clear enough. UK Finance has seen instances where they have put forward a request but found that it was not right. The reality is that there are times where the guidance has not been as clear as they would have liked. The Government’s website is not sufficient to allow it to do what it wants to do in terms of moving funds around in support of humanitarian operations. The very last thing we would want to do is hinder the foreign policy objective of providing humanitarian aid by the laws under which we make sanctions regulations. We therefore want to make sure that guidance is more precise and much clearer, to allow financial institutions the confidence to deal with that.

Finally, amendment 30, on the Solicitors (Scotland) Act 1980, is another pretty technical amendment. The Law Society of Scotland flagged this issue to me, as it is concerned that an earlier Government amendment was made in the wrong place, with the effect that the Law Society of Scotland cannot suspend people under the suspension power in section 40 of the 1980 Act. Section 40 should mean that the society can suspend a solicitor’s practising certificate if that solicitor has failed or is failing to comply with the rules made under section 35 of the 1980 Act. The society says that there is no analogous suspension power under section 34.

The Government have made an amendment, but in the wrong place. I appreciate that the Minister has said that they are looking into this matter, but it seems not to make an awful lot of sense to intend to do something that would help the Law Society of Scotland, only to not do it by making the amendment in the wrong place, leaving the society without the ability to strike off solicitors who are getting up to no good. It would make an awful lot of sense if the Government could make some progress on this matter.

We tabled amendment 30 to ensure that the issue is kept on the agenda, and that the Government do not forget about it but bring something forward as soon as they possibly can, because we need to see more action. As with the other matters that I have addressed, including Companies House and SLPs, it is absolutely key that we get timescales from the Government, because while we are not acting—while the Government are not doing things—money launderers are continuing to profit and to move money around without any kind of sanctions being applied against them. They have absolute impunity, so we must take action as soon and as swiftly as we can to tighten up all the loopholes that still exist.

Jo Swinson: I rise to speak briefly in support of various amendments, including amendment 21, which would remove the Henry VIII powers. It has become an unfortunate hallmark of this Government that they have sought to put far too much power in Ministers’ hands. If anything, the whole “take back control” thing should be in the direction of Parliament and the representatives of the people, not to Ministers, with decisions therefore undergoing less scrutiny. I very much support amendment 21 on that basis.

I am sure that shortly the House will hear from the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle), who tabled new clause 18, which I very much support. I understand that my support was communicated to the Public Bill Office, but unfortunately my name was not added to the amendment paper. I wanted to put on record the fact that that communication had been sent. My right hon. Friend the Member for Twickenham (Sir Vince Cable) advocated the change in the new clause during our time in coalition, but it was one of those things that was blocked by our coalition partners, who claimed that it would somehow add to regulatory burdens and so would not be possible. I am delighted to support that new clause today.

On new clause 12, which was tabled by the hon. Members for Oxford East (Anneliese Dodds) and for Bishop Auckland (Helen Goodman), it is absolutely sensible that, just as we have a public register of beneficial ownership for companies, the same requirements should apply to trusts, given that we know how often trusts are used in a way that is conducive to money laundering. I understand that there are concerns about some individuals who may be vulnerable, but a better way to deal with that would be to carve out specific exemptions for such individuals, rather than go in the other direction, with the assumption being secrecy. It is about what the default is, and transparency very much ought to be the default, particularly given the widespread evidence of the use of trusts for the sheltering of wealth and therefore as cover for shady activities.

Finally, I wish to talk about the Companies House issues raised by new clause 13, because I was formerly the Minister in charge of Companies House, which tries to do a good job, albeit not with significant resources. Some of the changes that have come in—such as the move to do much more online, thereby getting rid of the paper trail caused by requiring every single company registration to be sent in on paper—are positive and often work well. I speak as somebody who used the Companies House service to set up a company when I was out of Parliament.

I wish to see the process remain simple, straightforward and low cost so that it is easy for people to set up new companies. However, it strikes me that, in that move to online, we have opportunities to undertake many more checks in a more cost-effective way than would have been possible under the paper-based system that existed before. As the hon. Member for Oxford East pointed out, we can have innovations such as drop-down menus which we are familiar with on so many different websites that we interact with in other spheres of life. We can therefore design into the system many of the checks that need to be done.

For addresses to be entered, we could have a simple checking process against the postcode address file. Anyone in this Chamber who does online shopping—I confess
that I have, on occasion, done it myself—knows that it is just not possible to enter an address that is not a straightforwardly understood UK address, which is part of the postcode address file. There are therefore lots of good opportunities for Companies House to update its system so that it is much more adept—still in a cost-effective way—at identifying the small proportion of registrations, out of the large number of companies that register with Companies House, that require enforcement activity. Being able to do that in a risk-averse manner, as well as, no doubt, dealing with other patterns of registrations that might end up needing to be investigated would certainly be helpful. Over time, no doubt, tools could be developed to improve the risk assessment process.

**Maria Caulfield** (Lewes) (Con): The hon. Lady is making some good points. Currently, companies have to pay a nominal fee to register. On the types of registration that she is talking about and the in-depth detail that will need to be considered, has she done any work on the sort of fee that companies will be looking to pay?

**Jo Swinson**: I welcome the hon. Lady’s intervention. Basically, I am talking about making changes to the system in a cost-effective way. We are talking about system changes to multiple transactions, which, as I have said, are hardly groundbreaking in terms of online systems that exist in other spheres. I am talking about having access to these databases that already exist. Over time, intelligence-led risk profiling would also make sense. It is not about saying that for every company registration there needs to be an incredibly cumbersome process; it is about saying that measures could be taken in a fairly cost-effective way to use the technology and the ability that we now have—while things are being registered online—to identify where the problems are, in much the same way that when we enter a company name with one of those 135 sensitive words, a flag goes up, and it will be looked at by some human eyes. We could certainly have that system in place with a wider set of parameters without impinging on the general efficiency of the system, which no Member would want.

**Will Quince** (Colchester) (Con) rose—

**Jo Swinson**: I am finishing my remarks shortly, but I will certainly give way.

**Will Quince**: The hon. Lady is very kind in giving way. I have a very quick question for her. She rightly answers the question from my hon. Friend the Member for Lewes (Maria Caulfield) about the process and, potentially, adding additional cost. The hon. Lady probably did it herself but many people use intermediaries—be it solicitors, accountants or other individuals and businesses that do it for them. Does she foresee additional cost being created because of the additional administration involved?

**Jo Swinson**: What we are discussing here is having additional checks at the Companies House end. For other organisations, some additional checks already happen. The hon. Gentleman is right that I did do a bit of a test run to check what I had said about it being straightforward. Happily, it generally was fairly straightforward and an easy system to use. None the less, I think that there would be a way we could use new technology to improve enforcement work through the Companies House website. Additional resources will be needed if we are to take this seriously, and I hope that the Government will recognise that in their response.

**Lloyd Russell-Moyle**: For £12, disreputable individuals can register UK companies and begin trading arms internationally through a network of subsidiaries. For £12, they receive the legitimacy of a trading company and a respectable business. We know that this is the case because it has been happening for 10 years, and it could well be happening right now.

We know that this has been happening thanks to the investigative work of Amnesty International and other non-governmental organisations. In 2014, Ukranian-based S-Profit Ltd, which was registered here in the UK, was named by the South Sudanese Government as brokering a £44 million small arms deal. The South Sudanese Government are subject to sanctions; yet, astonishingly, S-Profit Ltd is still a registered British company.

In 2009, the Committees on Arms Export Controls found that a company called Hazel UK had been brokering arms to Libya, Syria and Sri Lanka, which violated sanctions against those countries at the time. This company is still registered. I could go on. For example, System Use Contract Ltd brokered arms to Rwanda. I have a long list.

5.45 pm

Despite this wealth of evidence, these companies are engaged in sanctions busting but are still registered as British companies. Why? Well, it is partly in the name. They are brass-plate companies: they have no staff, no real office buildings and no real assets based here. Today, I received a letter from the Minister himself, recognising that it is “difficult for investigators to collect the necessary evidence to reach the threshold for prosecution.” Those are the Minister’s words, not mine. If we wanted to conduct criminal investigations into these companies, we could not bring in suspects for questioning, raid offices and buildings, or seize assets. Equally, the current sanctions are mainly freezing assets and travel bans, which have no impact on these companies.

In the Minister’s letter to me, he also said that current sanctions are as temporary measures, not as long-term measures. Well, the Customs and Excise Management Act 1979, from which this Bill derives many of its enforcement powers, allows for the destruction and resale of goods. These are permanent acts; we cannot un-destroy a good. New clause 18 would allow for a seven-year appeal for any company that were shut down, compensation if a company were shut down incorrectly and the reversal of a temporary measure if the wrong decision were made.

**Bob Stewart**: I am intrigued by this. Fundamentally, the hon. Gentleman is saying that there is a brass plate and a registration with Companies House, but there is actually nothing between that and a company working abroad. Is he saying that there is no connection and absolutely no way that these people can be traced, or have I got it wrong?

**Lloyd Russell-Moyle**: This is not about tracing. These companies use British registration but undertake activities through a set of subsidiary companies or other companies
that they are linked to abroad to take part in the nefarious activity. The individuals might be directors of both companies, for example.

The current threshold of requirement to disbar individuals or strike off a company is at the criminal level of responsibility, but that level is just far too high. If it were brought down to the civil level of responsibility, the Minister would be able to take action. Now, the Minister may feel that he would not want to take action and I am not compelling him to do so. I am simply giving him the powers, if need be, that already exist in the Insolvency Act 1986. This is not about extending powers that have never been used before.

The Government say that there is no information about these companies at all. Well, let us look at S-Profit Ltd, a UK-registered company that brokered arms to the South Sudanese Government. This Government have received copies of the contracts involved. The Ukrainian directors of the company have even admitted that the contracts were genuine, as did the Ukrainian state company responsible for brokering the weapons. It is not enough for a criminal action, but it is clearly enough for a Minister to invoke the public test—that is, to ask whether the company is acting against the public interest and breaching sanctions. Such companies should be struck off, so that they cannot use the brand Britain as a front for their activities.

When Sir John Stanley was in this place, he recommended the same powers in the Committees on Arms Export Controls. I am not trying to bring in something that is hugely controversial. The Government have already said today, in general, that they would like to take action on these things. I was really disappointed that we were not able to get the Government to support this. I tried to meet the Government a number of times, even coming up in recess time to do so, with the meeting being cancelled 20 minutes before it was due. It is a real shame, and I would like the Government to give way. However, I will not press the amendment to a vote on this occasion if they make a commitment to look at this further and to take it on, as I think they have done today. I hope we can work together on this.

Hannah Bardell: Thank you for letting me speak, Madam Deputy Speaker. I was not expecting to get in, so it is a real privilege to have the opportunity to bring up the rear of the debate.

I thank my hon. Friend the Member for Glasgow Central (Alison Thewliss) for her steadfast work on this Bill. I also thank other Members across the House. In particular, we heard an excellent speech by the hon. Member for Oxford East (Anneliese Dodds), who spoke about SLPs and the negative impact—the devastating impact—they have had across the UK. I recently met a Moldovan human rights lawyer at the Council of Europe. Many Members will be familiar with the nefarious activities of the Moldovan Government and certain oligarchs. She—I will not name her—has experienced huge tragedy in her life, being separated from her young son in trying to fight the Government, who are using an SLP to launder money and are engaged in criminal activities.

The point about reputation is really important, not just for Scotland but for the rest of the UK. The Scottish name is being used, and misused, through a piece of legislation. By and large, those who use SLPs are doing so for legitimate reasons, but a few are spoiling it for the many. SLPs are increasingly being abused by money launderers because of their unique characteristics. The hon. Member for Oxford East mentioned the Russian laundromat case, which extracted £16 billion out of Russia between 2010 and 2014. There were 114 SLPs in the laundromat, two of which were core laundering vehicles. Progate Solutions no longer exists—the Sarajevo-based Organised Crime and Corruption Reporting Project uncovered that company and highlighted its activities—but it is still being used to launder money. The hon. Member for Bishop Auckland (Helen Goodman), who has done a lot of work on this, described there being an “explosion” of SLPs. In terms of the statistics, 82% of all SLPs registered at the end of 2016 and 70% of SLPs incorporated during this period are registered at just 10 addresses.

Getting to the core of the issue of transparency, this is about how business is being done now. We look at gender pay reporting and the impact that that has had on business in this country. That is a move forward. It was interesting to hear some Conservative Members talking about resources for us to have the power to investigate these companies. Our very limited and stretched public resources are being used so that our trained taskforces can investigate them. If we bring about a more transparent system and more transparent laws, our vital resources can be directed towards other crimes to protect our citizens. This is fundamentally about protecting our citizens across the UK.

With regard to Companies House, it is important to put it on record that I do not think anybody would want to criticise the staff or the job that they do, but what has happened to some consumers cannot be right. I have had constituency cases where people have bought services or goods, the company has gone bust, and they are left with nothing—neither their money back nor the items. A constituent of mine followed the individuals concerned through their registration in Companies House, and discovered that they had set up a new company and started trading again within a few weeks. She was told by the police that there was nothing that she could do because this was an entirely legitimate practice. It cannot be right that people are allowed to do that. That is why we feel that new clause 2 is so important.

Kelvin Hopkins: We have heard from earlier speakers that Companies House is desperately under-resourced, with a small number of staff. Is under-staffing a body not a simple way to make it ineffectual? It should have many more staff.

Hannah Bardell: I thank the hon. Gentleman for that point. It is also important to note the point made earlier about how difficult it was to make Companies House bigger or give it more resources or a greater remit. That seems bizarre. I sat on the Public Bill Committee on the Enterprise Bill, in which the Government, in a welcome move, introduced the Small Business Commissioner, which involved setting up a whole new organisation with new resources. The failings of Companies House, to my mind, will work against the Small Business Commissioner and give it more work.

It would be interesting to hear from the Minister on that point. Companies House needs more resource and better oversight. Companies that are not doing business
properly and going about their business in the right way are surely a threat to good businesspeople across the UK. If the Government will not support new clause 2, it would be interesting to hear why.

The Panama and Paradise papers have been mentioned a number of times. We know from them that the Odessa oil mafia controls a number of British Virgin Islands companies collectively known as the Rubicon Group. One of those individuals controlled a number of BVI companies without officially declaring them, and that group owns at least eight high-end London properties worth tens of millions of pounds. The secrecy afforded to those individuals, who have questionable sources of income, has allowed them to hide their identities and their wealth.

In the point I made earlier to the hon. Member for Hornsey and Wood Green (Catherine West), I was not criticising the Labour party in any way. I was trying to get across that after the tragedy of Grenfell and given the housing crisis, the rise in homelessness and the fact that these kinds of people own 40,000 properties across London—that is four fifths of my Livingston constituency—and more than 86,000 across England and Wales, we surely face a huge issue and a massive challenge. If we want to tackle the housing crisis, this is how to do it. The Government should be doing something about it, rather than standing by and saying that we already have the powers, when we clearly do not.

I commend the Government for new clause 6, which is an excellent and positive move. However, if the Prime Minister was really serious when she took office about governing for all the people of the UK, there is a great gulf still to cross. There are some serious and important amendments tabled by Members across the Chamber that the Government could put their support behind and in doing so make a real difference to our citizens.

Question put and agreed to.

New clause 4 accordingly read a Second time, and added to the Bill.

New Clause 5

RETAINT EU RIGHTS

'(1) If and to the extent that anything in the European Union (Withdrawal) Act 2018 would, in the absence of this section, prevent any provision within subsection (2) from being exercised so as to modify anything which is retained EU law by virtue of section 4 of that Act (saving for certain rights etc.), it does not prevent that power from being so exercised.

(2) The following powers fall within this subsection—

(a) any power conferred by this Act, or by regulations under this Act, on a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975 (however that power is expressed);

(b) any power conferred by regulations under Schedule 2 on a supervisory authority.

(3) In this section “modify” has the same meaning as in the European Union (Withdrawal) Act 2018.―(Sir Alan Duncan.)

This new clause is consequential on government amendments to the European Union (Withdrawal) Bill, and makes clear that any restrictions in that Bill on the modification of retained EU law do not prevent powers under this Bill (for example, powers to impose an asset-freeze or immigration sanction) from being exercised in cases where their exercise will interfere with a retained right that a person would otherwise have under clause 4 of the European Union (Withdrawal) Bill.

Brought up, read the First and Second time, and added to the Bill.

New Clause 15

ENFORCEMENT: GOODS ETC ON SHIPS

'(1) The provision that may be made by virtue of section 17(2) (enforcement of prohibitions or requirements) includes provision as to the powers and duties of prescribed persons in relation to—

(a) British ships in foreign waters or international waters,

(b) ships without nationality in international waters, and

(c) foreign ships in international waters.

(2) Regulations may make provision by virtue of this section only for the purpose of enforcing relevant prohibitions or requirements.

(3) A prohibition or requirement is a “relevant prohibition or requirement” for the purposes of this section if it is—

(a) a prohibition or requirement specified by the regulations which is imposed by regulations for a purpose mentioned in any of paragraphs 2 to 7, 15(a), (b) or (c) or 16(a) of Schedule 1, or

(b) a prohibition or requirement imposed by a condition of a licence or direction issued by virtue of section 15 in relation to a prohibition or requirement mentioned in paragraph (a).

(4) The powers that may be conferred by virtue of this section include powers to—

(a) stop a ship;

(b) board a ship;

(c) require any person found on a ship boarded by virtue of this section to provide information or produce documents;

(d) inspect and copy such documents or information;

(e) stop any person found on such a ship and search that person for—

(i) prohibited goods, or

(ii) any thing that might be used to cause physical injury or damage to property or to endanger the safety of any ship;

(f) search a ship boarded by virtue of this section, or any thing found on such a ship (including cargo), for prohibited goods;

(g) seize goods found on a ship, in any thing found on a ship, or on any person found on a ship (but see subsection (8));

(h) for the purpose of exercising a power mentioned in paragraph (e), (f) or (g), require a ship to be taken to, and remain in, a port or anchorage in the United Kingdom or any other country willing to receive it.

(5) Regulations that confer a power mentioned in subsection (4)(a) to (f) or (h) must provide that a person may not exercise the power in relation to a ship unless the person has reasonable grounds to suspect that the ship is carrying prohibited goods (and the regulations need not require the person to have reasonable grounds to suspect that an offence is being or has been committed).

(6) Regulations that confer a power mentioned in subsection (4)(c)(i) or (f) must provide that the power may be exercised only to the extent reasonably required for the purpose of discovering prohibited goods.

(7) Regulations that confer a power mentioned in subsection (4)(c)(ii) on a person (“the officer”) may permit the search of a person only where the officer has reasonable grounds to believe that that person might use a thing in a way mentioned in subsection (4)(c)(ii).

(8) Regulations that confer a power mentioned in subsection (4)(g) on a person—

(a) must provide for the power to be exercisable on a ship only where that person is lawfully on the ship (whether in exercise of powers conferred by virtue of this section or otherwise), and

(b) may permit the seizure only of—
(i) goods which that person has reasonable grounds to suspect are prohibited goods, or
(ii) things within subsection (4)(e)(ii).

(9) Regulations that confer a power on a person by virtue of this section may authorise that person to use reasonable force, if necessary, in the exercise of the power.

(10) Regulations that confer a power by virtue of this section must provide that—
(a) the power may be exercised in relation to a British ship in foreign waters only with the authority of the Secretary of State, and
(b) in relation to foreign waters other than the sea and other waters within the seaward limits of the territorial sea adjacent to any relevant British possession, the Secretary of State may give authority only if the State in whose waters the power would be exercised consents to the exercise of the power.

(11) Regulations that confer a power by virtue of this section must provide that—
(a) the power may be exercised in relation to a foreign ship only with the authority of the Secretary of State, and
(b) the Secretary of State may give authority only if—
(i) the home state has requested the assistance of the United Kingdom for the purpose of enforcing relevant prohibitions or requirements,
(ii) the home state has authorised the United Kingdom to act for that purpose, or
(iii) the United Nations Convention on the Law of the Sea 1982 (Cmnd 8941) or a UN Security Council Resolution otherwise permits the exercise of the powers in relation to the ship.

(12) The reference in subsection (11) to the United Nations Convention on the Law of the Sea includes a reference to any modifications of that Convention agreed after the passing of this Act that have entered into force in relation to the United Kingdom.

(13) In this section—
“arrangements” includes any agreement, understanding, scheme, transaction or series of transactions (whether or not legally enforceable);
“British ship” means a ship falling within paragraph (a), (c), (d) or (e) of section 7(12);
“foreign ship” means a ship which—
(a) is registered in a State other than the United Kingdom, or
(b) is not so registered but is entitled to fly the flag of a State other than the United Kingdom;
“foreign waters” means the sea and other waters within the seaward limits of the territorial sea adjacent to any relevant British possession or State other than the United Kingdom;
“goods” includes technology within the meaning of Schedule 1 (see paragraph 36 of that Schedule);
“home state”, in relation to a foreign ship, means—
(a) the State in which the ship is registered, or
(b) the State whose flag the ship is otherwise entitled to fly;
“international waters” means waters beyond the territorial sea of the United Kingdom or of any other State or relevant British possession;
“prohibited goods” means goods which have been, or are being, dealt with in contravention of a relevant prohibition or requirement (see subsection (3));
“regulations” means regulations under section 1;
“relevant British possession” has the same meaning as in section 7 (see subsection (14) of that section);
“ship” has the same meaning as in section 7 (see subsection (14) of that section);
“ship without nationality” means a ship which—
(a) is not registered in, or otherwise entitled to fly the flag of, any State or relevant British possession, or
(b) sails under the flags of two or more States or relevant British possessions, or under the flags of a State and relevant British possession, using them according to convenience.

(14) In the definition of “prohibited goods” in subsection (13), the reference to goods dealt with in contravention of a relevant prohibition or requirement includes a reference to a case where—
(a) arrangements relating to goods have been entered into that have not been fully implemented, and
(b) if those arrangements were to be fully implemented, the goods would be dealt with in contravention of that prohibition or requirement. —[Sir Alan Duncan.]

This new clause allows regulations under section 1 to provide for powers to stop and search a ship outside the United Kingdom, and to seize goods or technology found on the ship. The powers are exercisable for the purpose of enforcing prohibitions in sanctions regulations relating to the goods or technology.

Brought up, read the First and Second time, and added to the Bill.

New Clause 16

GOODS ETC ON SHIPS: NON-UK CONDUCT

'(1) Regulations may make provision conferring on prescribed persons powers exercisable—
(a) in relation to—
(i) British ships in foreign waters or international waters, and
(ii) ships without nationality in international waters, and
(iii) foreign ships in international waters,
(b) for the purpose of—
(i) investigating the suspected carriage of relevant goods on such ships, or
(ii) preventing the continued carriage on such ships of goods suspected to be relevant goods.

(2) The powers that may be conferred by virtue of this section include powers to—
(a) stop a ship;
(b) board a ship;
(c) require any person found on a ship boarded by virtue of this section to provide information or produce documents;
(d) inspect and copy such documents or information;
(e) stop any person found on such a ship and search that person for—
(i) relevant goods, or
(ii) any thing that might be used to cause physical injury or damage to property or to endanger the safety of any ship;
(f) search a ship boarded by virtue of this section, or any thing found on such a ship (including cargo), for relevant goods;
(g) seize goods found on a ship, in any thing found on a ship, or on any person found on a ship (but see subsection (6));
(h) for the purpose of exercising a power mentioned in paragraph (c), (f) or (g), require a ship to be taken to, and remain in, a port or anchorage in the United Kingdom or any other country willing to receive it.

(3) Regulations that confer a power mentioned in subsection (2)(a) to (f) or (h) must provide that a person may not exercise the power in relation to a ship unless the person has reasonable grounds to suspect that the ship is carrying relevant goods.

(4) Regulations that confer a power mentioned in subsection (2)(c)(i) or (f) must provide that the power may be exercised only to the extent reasonably required for the purpose of discovering relevant goods.

(5) Regulations that confer a power mentioned in subsection (2)(c)(ii) on a person (“the officer”) may permit the
search of a person only where the officer has reasonable grounds to believe that that person might use a thing in a way mentioned in subsection (2)(e)(ii).

(6) Regulations that confer a power mentioned in subsection (2)(g) on a person—

(a) must provide for the power to be exercisable on a ship only where that person is lawfully on the ship (whether in exercise of powers conferred by virtue of this section or otherwise), and

(b) may permit the seizure only of—

(i) goods which that person has reasonable grounds to suspect are relevant goods, or

(ii) things within subsection (2)(e)(ii).

(7) Regulations that confer a power on a person by virtue of this section may authorise that person to use reasonable force, if necessary, in the exercise of the power.

(8) Regulations that confer a power by virtue of this section must provide that—

(a) the power may be exercised in relation to a British ship in foreign waters only with the authority of the Secretary of State, and

(b) in relation to foreign waters other than the sea and other waters within the seaward limits of the territorial sea adjacent to any relevant British possession, the Secretary of State may give authority only if the State in whose waters the power would be exercised consents to the exercise of the power.

(9) Regulations that confer a power by virtue of this section must provide that—

(a) the power may be exercised in relation to a foreign ship only with the authority of the Secretary of State, and

(b) the Secretary of State may give authority only if—

(i) the home state has requested the assistance of the United Kingdom for a purpose mentioned in subsection (1)(b),

(ii) the home state has authorised the United Kingdom to act for such a purpose, or

(iii) the United Nations Convention on the Law of the Sea 1982 (Cmnd 8941) or a UN Security Council Resolution otherwise permits the exercise of the powers in relation to the ship.

(10) The reference in subsection (9) to the United Nations Convention on the Law of the Sea includes a reference to any modifications of that Convention agreed after the passing of this Act that have entered into force in relation to the United Kingdom.

(11) In this section—

“regulations” means regulations under section 1;

“relevant goods” means goods in relation to which relevant non-UK conduct is occurring or has occurred;

“relevant non-UK conduct” means conduct outside the United Kingdom by a person other than a United Kingdom person that would constitute a contravention of a relevant prohibition or requirement if the conduct had been—

(a) in the United Kingdom, or

(b) by a United Kingdom person;

“relevant prohibition or requirement” has the same meaning as in section (Enforcement: goods etc on ships) (see subsection (3) of that section);

“United Kingdom person” has the same meaning as in section 19 (see subsection (2) of that section).

(12) In the definition of “relevant non-UK conduct” in subsection (11), the reference to conduct that would constitute a contravention of a relevant prohibition or requirement if the conduct had been in the United Kingdom or by a United Kingdom person includes a reference to a case where—

(a) arrangements relating to goods have been entered into that have not been fully implemented, and

(b) if those arrangements were to be fully implemented (and if the conduct had been in the United Kingdom or by a United Kingdom person) the goods would be dealt with in contravention of that prohibition or requirement.

(13) In this section, the following expressions have the same meaning as in section (Enforcement: goods etc on ships)—

“arrangements”,

“British ship”,

“foreign ship”,

“foreign waters”,

“goods”,

“home state”,

“international waters”,

“relevant British possession”,

“ship”, and

“ship without nationality”.—(Sir Alan Duncan.)

This new clause allows regulations under section 1 to provide for powers to stop and search a ship outside the United Kingdom, and to seize goods or technology found on the ship. The powers are exercisable for the purpose of seizing goods or technology where there has been conduct (or suspected conduct) which would be a contravention of a prohibition in sanctions regulations relating to the goods or technology, but for the fact that the conduct falls outside the territorial scope mentioned in Clause 19 of the Bill.

Brought up, read the First and Second time, and added to the Bill.

New Clause 17

PROCEDURE FOR DEALING WITH GOODS ETC SEIZED FROM SHIPS

‘(1) The Secretary of State may by regulations make provision about the procedure to be followed in connection with goods seized under a power conferred by regulations under section 1 by virtue of section (Enforcement: goods etc on ships) or (Goods etc on ships: non-UK conduct).

(2) Regulations under this section relating to goods seized on suspicion of being prohibited goods or relevant goods may include provision—

(a) requiring prescribed persons to be notified of the seizure of the goods;

(b) requiring the Secretary of State to determine whether the seized goods were, at the time of their seizure, prohibited goods (where the goods were seized under a power conferred by virtue of section (Enforcement: goods etc on ships)) or relevant goods (where the goods were seized under a power conferred by virtue of section (Goods etc on ships: non-UK conduct));

(c) enabling the making of a claim by prescribed persons in relation to the seized goods;

(d) about the determination by a prescribed court of any such claim;

(e) about the publicity to be given to any such determination by a court;

(f) for and about the return of seized goods to prescribed persons before or after any such determination of a claim by a court;

(g) about the treatment of seized goods not so returned (including, in prescribed circumstances, their destruction or sale);

(h) for and about the payment of compensation by the Secretary of State following a determination by a court that the goods were not, at the time of their seizure, prohibited goods (where the goods were seized under a power conferred by virtue of section (Enforcement: goods etc on ships)) or relevant goods (where the goods were seized under a power conferred by virtue of section (Goods etc on ships: non-UK conduct)).
(3) In this section—

“goods” has the same meaning as in sections (Enforcement: goods etc on ships) and (Goods etc on ships: non-UK conduct) (see subsections (13) of those sections);

“prohibited goods” has the same meaning as in section (Enforcement: goods etc on ships) (see subsection (13) of that section);

“relevant goods” has the same meaning as in section (Goods etc on ships: non-UK conduct) (see subsection (11) of that section).”—(Sir Alan Duncan.)

This new clause provides a power for the Secretary of State to make regulations setting out how goods or technology seized from ships under the new clauses which would be inserted by NC15 and NC16 must be dealt with.

Brought up, read the First and Second time, and added to the Bill.

New Clause 8

PUBLIC REGISTER OF BENEFICIAL OWNERS OF OVERSEAS ENTITIES

“(1) The Secretary of State must, in addition to the provisions made under paragraph 6 of Schedule 2, create a public register of beneficial ownership information for companies and other legal entities registered outside of the UK that own or buy UK property, or bid for UK government contracts.

(2) The register must be implemented within 12 months of the day on which this Act is passed.

(3) For the purposes of this section “a register of beneficial ownership for companies and other legal entities registered outside of the UK” means a public register—

(a) which contains information about overseas entities and persons with significant control over them, and

(b) which in the opinion of the Secretary of State will assist in the prevention of money laundering.”—(Anneliese Dodds.)

This new clause would create a public register of beneficial ownership information for companies and other legal entities outside of the UK that own or buy UK property, or bid for UK government contracts, within 12 months.

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The House divided: Ayes 296, Noes 314.

Division No. 144

AYES

Abbott, rh Ms Diane | Brake, rh Tom
Abrahams, Debbie | Brennan, Kevin
Alexander, Heidi | Brock, Deidre
Ali, Rushanara | Brown, Alan
Allin-Khan, Dr Rosena | Brown, Lyn
Armesbury, Mike | Brown, rh Mr Nicholas
Antoniasszi, Tonia | Bryant, Chris
Ashworth, Jonathan | Buck, Ms Karen
Austin, Ian | Burgon, Richard
Bailey, Mr Adrian | Butler, Dawn
Bardell, Hannah | Byrne, rh Liam
Barron, rh Sir Kevin | Cable, rh Sir Vince
Benn, rh Hilary | Cadbury, Ruth
Berger, Luciana | Cameron, Dr Lisa
Betts, Mr Clive | Campbell, rh Mr Alan
Black, Mhairi | Campbell, Mr Ronnie
Blackford, rh Ian | Carden, Dan
Blackman, Kirsty | Carmichael, rh Mr Alistair
Blomfield, Paul | Champion, Sarah
Brabin, Tracy | Chapman, Douglas
Bradshaw, rh Mr Ben | Chapman, Jenny
Charalambous, Bambos | Haigh, Louise
Cherry, Joanna | Hamilton, Fabian
Clwyd, rh Ann | Hanson, rh David
Coaker, Vernon | Hardy, Emma
Coffey, Ann | Harman, rh Ms Harriet
Cooper, Julie | Harris, Carolyn
Cooper, Rosie | Hayes, Helen
Cooper, rh Yvette | Hayman, Sue
Corbyn, rh Jeremy | Healey, rh John
Coyle, Neil | Hendry, Drew
Crawley, Angela | Hepburn, Mr Stephen
Creakh, Mary | Hermon, Lady
Creasy, Stella | Hill, Mike
Cruddas, Jon | Hillier, Meg
Cryer, John | Hobhouse, Wera
Cummings, Judith | Hodge, rh Dame Margaret
Cunningham, Alex | Hodgson, Mrs Sharon
Cunningham, Mr Jim | Hoye, Kate
Dakin, Nic | Hollern, Kate
Davey, rh Sir Edward | Hopkins, Kelvin
David, Wayne | Hosie, Stewart
Davies, Geraint | Howarth, rh Mr George
Day, Martyn | Huq, Dr Rupa
De Cordova, Marsha | Hussain, Imran
De Piero, Gloria | Jardine, Christine
Debonaire, Thangam | Jarvis, Dan
Dent Coad, Emma | Johnson, Diana
Dhesi, Mr Tanmanjeet Singh | Jones, Darren
Docherty-Hughes, Martin | Jones, Gerald
Dodds, Anneliese | Jones, Graham P.
Doughty, Stephen | Jones, Helen
Dowd, Peter | Jones, Mr Kevan
Drew, Dr David | Jones, Sarah
Dromey, Jack | Jones, Susan Elan
Duffield, Rosie | Kane, Mike
Eagle, Ms Angela | Keeley, Barbara
Eagle, Maria | Kendall, Liz
Edwards, Jonathan | Khan, Afzal
Elford, Clive | Killen, Ged
Elliott, Julie | Kinnock, Stephen
Ellman, Mrs Louise | Kyle, Peter
Elmore, Chris | Laird, Lesley
Esterson, Bill | Lake, Ben
Evans, Chris | Lammy, rh Mr David
Farrelly, Paul | Lavery, Ian
Fellows, Marion | Law, Chris
Field, rh Frank | Lee, Karen
Fitzpatrick, Jim | Leslie, Mr Chris
Fletcher, Colleen | Lewell-Buck, Mrs Emma
Flint, rh Caroline | Lewis, Clive
Fovargue, Yvonne | Lewis, Mr Ivan
Fris, James | Linden, David
Furniss, Gill | Lloyd, Stephen
Gaffney, Hugh | Lloyd, Tony
Gapes, Mike | Long Bailey, Rebecca
Gardiner, Barry | Lucas, Caroline
George, Ruth | Lucas, Ian C.
Geithins, Stephen | Lynch, Holly
Gibson, Patricia | MacNeil, Angus Brendan
Gill, Preet Kaur | Madders, Justin
Glindon, Mary | Mahmod, Mr Khalid
Godsiff, Mr Roger | Mahmod, Shabana
Goodman, Helen | Malhotra, Seema
Grady, Patrick | Mann, John
Grant, Peter | Marsden, Gordon
Gray, Neil | Martin, Sandy
Green, Kate | Maskell, Rachael
Greenwood, Lilian | Matheson, Christian
Greenwood, Margaret | Mc Nally, John
Griffith, Nia | McCarthy, Kerry
Grogan, John | McDonagh, Siobhain
Gwynne, Andrew | McDonald, Andy
Sanctions and Anti-Money Laundering Bill [Lords]

NOES

1 MAY 2018

Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Beretton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehan
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Philip
Davies, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Francis, rh Mr Mark
Frazer, Lucy
Freeman, George
Frer, Mike
Fysh, rh Mr Marcus
Gale, Sir Roger
Garner, Mark
Gauke, rh Mr David
Gibb, rh Nick
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
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
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
Hind, rh Nick
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollovere, Mr Philip
Holloway, Adam
Howell, John
Hudson, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, rh Alister
James, Margot
Javid, rh Sahid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jennic, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kaczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Question accordingly negatived.

6.14 pm

The Proceedings interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 13

DUE DILIGENCE

‘(1) For the purposes of preventing money laundering, when a company is formed, any company formation agent providing formation services must ensure that the identity and business risk profile of all beneficial owners of the company are established in accordance with—

(a) the customer due diligence measures under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (S.I. 2017/892),

(b) regulations made under section 44 of this Act, or


(2) For the purposes of subsection (1), Companies House is to be treated as a “company formation agent”. ’—(Anneliese Dodds.)

This new clause would ensure that when a company is formed in the UK, the relevant formation services must identify the beneficial owners of the company. It will also treat Companies House as a “company formation agent”, ensuring that the data on the public register of beneficial ownership for companies is accurate.

Brought up.

Division No. 145]

AYES

[6.14 pm

Abbott, rh Ms Diane
Abrahams, Debbie
Alexander, Heidi
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Iain
Blackman, Kirsty
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brook, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas

Bryant, Chris
Buck, Ms Karen
Burton, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Carmichael, rh Mr Alistair
Champion, Sarah
Champion, Douglas
Champion, Jenny
Charalambous, Bambos
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Crausby, Sir David
Crawley, Angela

Kelly Tolhurst and Mims Davies
Hepburn, Mr Stephen
Hendry, Drew
Hayman, Sue
Hayman, Stephen
Haynes, Helen
Heyman, Sue
Healey, rh John
Hendry, Drew
Hepburn, Mr Stephen

Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
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
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
Smeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Stermer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Swinson, Jo
Tami, Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Turley, Anna
Turner, Karl
Twigg, Derek
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
Wilson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Vicky Foxcroft and
Jeff Smith

NOES

Adams, Nigel
Afzali, Bim
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, Harriet
Barclay, Stephen
Baron, Mr John
Bebb, Guto

Bellingham, Sir Henry
Benyon, rh Richard
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, rh Graeme
Braverman, Suella
Breton, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Question accordingly negatived.
Clause 18

Power to make sanctions regulations

Amendment made: 23, page 2, line 38 after “to” insert “17. (Enforcement: goods etc on ships). (Goods etc on ships: non-UK conduct)” and “.—(John Glen.)

This amendment ensures that the reference in Clause 1(6) to clauses by virtue of which supplemental provision can be made by sanctions regulations includes NC15 and NC16.

Clause 19

Extra-territorial application

Amendment made: 24, page 18, line 34, at end insert—

'( ) Nothing in this section limits the provision that may be made in regulations under section 1 by virtue of section (Enforcement: goods etc on ships) or (Goods etc on ships: non-UK conduct).’.—(John Glen.)

This amendment makes it clear that Clause 19, which deals with the extra-territorial application of the Bill, does not limit the application of the new clauses which would be inserted by NC15 and NC16 (which provide for powers to be exercisable in relation to ships outside the United Kingdom).

Clause 27

Saving for prerogative powers

Amendment made: 25, page 35, line 39, at end insert—

'( ) Nothing in this Act affects any power exercisable in relation to ships by virtue of the prerogative of the Crown.’.—(John Glen.)

This amendment ensures that powers under the Bill which may be exercised in relation to ships, including those inserted by NC15 and NC16, would not limit powers which may be exercised in relation to ships by virtue of the royal prerogative.

Clause 48

Regulations: general

Amendment proposed: 21, page 36, line 8, leave out paragraph (a).—(Anneliese Dodds.)

This amendment would remove paragraph 2(a) from Clause 48, which enables the appropriate Minister to amend, repeal or revoke enactments for regulations under section 1 or 44 using Henry VIII powers.

Question put. That the amendment be made.

The House proceeded to a Division.

Madam Deputy Speaker (Mrs Eleanor Laing): I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 295, Noes 313.

Division No. 146 [6.28 pm]

AYES

Abbott, rh Ms Diane   Abbot, rh Ms Karen
Abbrevahms, Debbie   Burgon, Richard
Alexander, Heidi   Butler, Dawn
Ali, Rushanara   Byrne, rh Liam
Allin-Khan, Dr Rosena   Cable, rh Sir Vince
Amess, Mike   Cadbury, Ruth
Antoniasszi, Tonia   Cameron, Dr Lisa
Ashworth, Jonathan   Campbell, rh Mr Alan
Austin, Ian   Campbell, Mr Ronnie
Barron, rh Sir Kevin   Carden, Dan
Ben, rh Hilary   Carmichael, rh Mr Alistair
Berger, Luciana   Champion, Sarah
Buck, Ms Karen   Chapman, Douglas
Burgon, Richard   Chapman, Jenny
Butler, Dawn   Charalambous, Bambos
Byrne, rh Liam   Cherry, Joanna
Cable, rh Sir Vince   Clwyd, rh Ann
Cadbury, Ruth   Coaker, Vernon
Campbell, Dr Lisa   Coffey, Ann
Campbell, rh Mr Alan   Cooper, Julie
Campbell, Mr Ronnie   Cooper, Rosie
Carden, Dan   Cooper, rh Yvette
Carmichael, rh Mr Alistair   Corby, rh Jeremy
Champion, Sarah   Coyle, Neil
Chapman, Douglas   Crausby, Sir David
Chapman, Jenny   Crawley, Angela
Charalambous, Bambos   Creagh, Mary
Chester, Joanna   Creasy, Stella
Clwyd, rh Ann   Cruda, Jon
Coffey, Ann   Cryer, John
Coomans, Judith   Cunningham, Alex
Cunningham, rh Sir Patrick   Cunningham, rh Mr Jim
Dakin, Nic   Dakey, rh Sir Edward
Davie, Wayne   David, Wayne
Davies, Geraint   Day, Martyn
Day, Martyn   De Cordova, Marsha
De Piero, Gloria   Debbionaire, Thangam
Dent Cord, Emma   Dhesi, Mr Sanjeev
Dhesi, Mr Sanjeev   Docherty-Hughes, Martin
Dodds, Anneliese   Doughty, Stephen
Dowd, Peter   Dowd, Dr David
Drew, Dr David   Dromey, Jack
Duffield, Rosie   Eagle, Ms Angela
Eagle, rh Angela   Eagle, Maria
Edwards, Jonathan   Edwards, Jonathan
Efford, Clive   Elliott, Julie
Ellman, Mrs Louise   Ellmore, Chris
Elmore, Chris   Esterson, Bill
Evans, Chris   Farrelly, Paul
Fellow, Marion   Fellows, Marion
Field, rh Frank   Fitzpatrick, Jim
Fletcher, Colleen   Flint, rh Caroline
Flint, rh Caroline   Fovargue, Yvonne
Frith, James   Fussel, Gill
Fussel, Gill   Gaffney, Hugh
Gapes, Mike   Gardiner, Barry
George, rh Karen   George, Russell
Germain, Ruth   Gethin, Stephen
Gibson, Patricia   Gill, Preet Kaur
Glindon, Mary   Godsdiff, Mr Roger
Green, Neil   Goodman, Helen
Gray, Neil   Grady, Patrick
Greenwood, Lillian   Grant, Peter
Greenwood, Margaret   Green, Kate
Griffith, Nia   Grogan, John
Gwynne, Andrew   Haigh, Louise
Hamilton, Fabian   Hanson, rh David
Hardy, Emma   Harris, Carolyn
Hayes, Helen   Hayman, Sue
Healey, rh John   Hendry, Drew
Hepburn, Mr Stephen   Hermann, Lady
Hill, Mike   Hillier, Meg
Hobhouse, Wera   Hodge, rh Dame Margaret
Hodgson, Mrs Sharon   Hoe, Kate
Hollem, Kate   Hopkins, Kelvin
Hosie, Stewart   Howarth, rh Mr George
Huq, Dr Rupa   Hussain, Imran
Jardine, Christine   Johnson, Dan
Johnson, rh Ms Emma   Jones, Darren
Jones, Gerald   Jones, Graham P.
Jones, Helen   Jones, Kevan
Jones, Sarah   Jones, Susan Elan
Jones, Susan Elan   Kane, Mike
Keeley, Barbara   Kendall, Liz
Khan, Azul   Kilin, Ged
Kinnock, Stephen   Kyle, Peter
Laing, Leslie   Lake, Ben
Lavery, Ian   Law, Chris
Law, Chris   Lee, Karen
Leslie, Ms Chris   Lewell-Buck, Mrs Emma
Lewis, Clive   Lewis, rh Mr Ivan
Lewis, Clive   Linden, David
Lloyd, Stephen   Lloyd, Tony
Lloyd, Tony   Long Bailey, Rebecca
Lucas, Caroline   Lucas, Ian C.
Lynch, Holly   MacNeil, Angus Brendan
Allan, Lucy
Aldous, Peter
Allan, Lucy

Bacon, Mr Richard
Bader.och, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bruns, Nick
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, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dodd, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Donnch, Ms Nadine
Double, Steve
Downen, Oliver
Doyle-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
Evnennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garner, Mark
Gauke, rh Mr David
Ghani, Ms Nasrat
Gibb, rh Nick
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
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hafon, 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
Hinds, rh 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
Jenkyns, Andrea
Amendment made: 26, page 51, line 14, at end insert—

“27A (1) For the purpose of the enforcement of any relevant prohibition or requirement, regulations under this paragraph may modify any provision of CEMA which—

(a) determines whether any thing is liable to forfeiture under CEMA by virtue of a contravention of the prohibition or requirement,

(b) provides for the treatment of any thing which is so liable by virtue of such a contravention, or

(c) confers any power exercisable in relation to a ship, aircraft or vehicle.

(2) In sub-paragraph (1) a “relevant prohibition or requirement” means a prohibition or requirement—

(a) imposed for a purpose mentioned in Part 1, and

(b) specified in the regulations under this paragraph.”—

(Sir Alan Duncan.)

This amendment provides a power for regulations to modify provisions of the Customs and Excise Management Act 1979 that apply in relation to prohibitions contained in sanctions regulations.

Schedule 2

MONEY LAUNDERING AND TERRORIST FINANCING ETC

Amendment made: 19, page 57, line 29, leave out paragraphs (a) and (b) and insert—

“(a) subject to any modifications the appropriate Minister making those regulations considers appropriate, make provision corresponding or similar to any provision of retained money laundering Regulations as those Regulations have effect immediately after being saved by section 2 or 3 of the European Union (Withdrawal) Act 2018;

(b) amend or revoke any retained money laundering Regulations.”

(3A) In sub-paragraph (1) “retained money laundering Regulations” means—

(a) the Money Laundering Regulations 2017;


(c) any provision made under Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing by virtue of Article 290 or 291(2) of the Treaty on the Functioning of the European Union.”—(Sir Alan Duncan.)

This amendment enables money-laundering regulations under the Bill to make provision corresponding to, or amend or revoke, specified retained direct EU legislation relating to money laundering. It is consequential on government amendments to the European Union (Withdrawal) Bill which might otherwise prevent the regulations from modifying that retained legislation.

Third Reading
6.46 pm

Sir Alan Duncan: I beg to move, That the Bill be now read the Third time.

It is a great pleasure to support the concluding stage of this Bill, which has been a long time in the making. Many might say it goes back many, many decades, because in this House we can all be proud that the United Kingdom is a country that fulfils its international obligations.

Ever since countries went to war with each other, we have been part of the institutions that try to create peace and try to introduce international order under a proper rules-based system. Inevitably, as the decades pass, the world changes and new measures are needed to tackle the problems the world faces.

We are founder members of the United Nations, and we sit on the Security Council, on which we fulfil our obligations dutifully. We have been a member of the European Union for 40 years, and our membership is now drawing peacefully to a close. That means we need to restructure the manner in which we fulfil our international duties, and to that end we need to pass legislation in this House that empowers us to do the many things we want to do.

Mr Nigel Evans (Ribble Valley) (Con): Some people who want to diminish the vote of the British people to leave the European Union tend to say that standards will drop simply by our leaving the European Union. Does not the passage of this Bill prove how wrong people can be?

Sir Alan Duncan: I am grateful to my hon. Friend for raising that serious underlying benefit of the Bill.

At the moment, we implement various sanctions. Some we implement because, as members of the United Nations, we have to do so, and others we implement because, as members of the European Union, we do so collectively with the other 27 members. The power that currently allows us to implement sanctions derives from our membership of the European Union; it is not an autonomous legal power that we have sovereign to ourselves. This Bill is therefore needed to give to us, when we leave the European Union, the autonomous powers to have a proper, effective sanctions regime.

Mr Mark Francois (Rayleigh and Wickford) (Con): This will allow us to work on sanctions, in accordance with our allies and with the wishes of the United Nations. The Minister will recall that one argument put in the debate on the referendum was that if we left the European Union, we would be without allies, friends and influence. Does the response to the appalling crime that took place in Salisbury, when 26 countries expelled more than 130 Russian diplomats between them, not show that when it came to it, Britain had friends, allies and influence, and that those allies stood with us when it really mattered?

Sir Alan Duncan: I am grateful to my right hon. Friend because he is absolutely right to say that in this dangerous and unstable world it is very important that there are moments when we act collectively. We do so through many forums: we are a member of the P5—a permanent member of the UN Security Council; we are a member of the G7, G20 and NATO; and, crucially, we are the only major western power to spend 0.7% of our national income on international development. We are therefore in a good position to retain our influence in the world, and we will do so partly by the powers we are taking under this Bill. It will allow us to continue to implement UN sanctions and to implement our own sanctions, no doubt often in concert with the remaining 27 members of the EU.

John Howell (Henley) (Con): Does the Minister acknowledge, as I do, how important this Bill is in the context of dealing with terrorist money? Only last week, in the Council of Europe, we had a debate about trying to prevent the flow of funds that kept terrorist organisations, and Daesh in particular, afloat. This Bill will play a major role in helping towards that.

Sir Alan Duncan: As I have said, this Bill will not only ensure that we have the power to comply with our obligations under the UN charter but allow us to support our wider foreign policy and national security goals after we leave the EU. The powers and purposes in the Bill give us wide scope for applying sanctions wherever we think those powers need to be used in order to assist our foreign policy goals, and indeed for the wider decency and morality of the world of which we are a part. The Bill will enable us to keep up to date with anti-money laundering and counter-terrorist financing measures. It is an important piece of legislation, ensuring maximum continuity and certainty for individuals, businesses and international partners.

This Bill was one of the first pieces of legislation relating to the UK leaving the EU to come before Parliament. There were many uncertainties over how it would be received, but I feel it left the other place in good shape, mostly due to the brilliant stewardship of my ministerial colleague Lord Ahmad of Wimbledon. I am sure that, like me, this House would like to thank my ministerial colleague Lord Ahmad of Wimbledon. I am sure that, like me, this House would like to thank him for the way he steered this through the House of Lords, the Chamber in which it started.

I am grateful that Members of this House have similarly recognised the importance of this piece of legislation, and of the requirement to have the legal powers in place to impose, update and lift sanctions regulations, and change our anti-money laundering framework, once we leave the EU.

Luke Graham: Earlier this afternoon, this House accepted new clause 6, which puts new obligations on our overseas territories. Will my right hon. Friend assure the House and the overseas territories that we are not going to legislate and forget? Will he confirm that Members and the Government need to support our overseas territories to help them comply with the legislation we have passed this afternoon?

Sir Alan Duncan: I am very happy to say that very fulsomely, because during our debate on the decision to adopt new clause 6 I was at pains to say that we are not going to desert the overseas territories, or indeed the Crown dependencies. We are fully supportive of them. We are going to work very much with them and, I hope, with the grain of their own efforts. We are not, in any way, going to sell them down the river. May I say very publicly here, and to those in the overseas territories who may be able to see and take note of this, that we are
and we remain full supporters of the overseas territories, that we will fulfil our obligations to them without reservation and that we are not going to dilute our efforts in doing so?

Victoria Prentis (Banbury) (Con): The Minister is famed for his considerable charm and experience in overseas negotiations. Will he give the House some detail about how he is going to help the overseas territories to work with the new obligations?

Sir Alan Duncan: I will indeed.

We have had spirited discussions on many aspects of the Bill, both on the Floor of the House and in the Public Bill Committee. I thank in particular the Bill team, who have given up pretty much a year of their lives to work on every dot, comma and detail of the legislation. They have been dutiful, punctilious and hard-working. They have been burning the midnight oil and have put up with my occasional tetchiness—

John Glen: Really?

Sir Alan Duncan: Yes, really.

Helen Goodman: Surely not!

Sir Alan Duncan: I salute them for all their efforts.

On what my hon. Friend the Member for Banbury (Victoria Prentis) said about the overseas territories, I am grateful that, in response to the point of order made by my hon. and learned Friend the Member for Torridge and West Devon (Mr Cox), Mr Speaker made it absolutely clear that procedurally the Government’s proposed amendments were in order. The compromise amendment was tabled rather late in the day, but it was not out of order for being late. We fully recognise that the Speaker has the discretion to select or not to select an amendment for debate. We were obviously disappointed that the compromise amendment was not selected, but we respect Mr Speaker’s decision.

Jo Swinson: Will the Minister give way?

Sir Alan Duncan: I am very short of time. Does the shadow Minister wish to speak?

Helen Goodman indicated assent.

Sir Alan Duncan: She does; I shall therefore not take an intervention so that I can leave a couple of minutes for her.

I thank my right hon. and hon. Friends on the Government Benches who would have supported the compromise amendment. I apologise if I marched them up to the top of the hill only for them to find that the hill had disappeared. I put on record my thanks to all who have helped with the Bill and, indeed, my thanks to the Opposition Front-Bench team for their co-operation on Magnitsky. Out of courtesy and shortness of time, with apologies for leaving her so little of it, I leave the last couple of minutes to the shadow Minister.

6.58 pm

Helen Goodman: When the Minister began with his historical overview, I thought he was going to go back to Thucydides, who was of course the first person to write about sanctions; but no, his history was not quite so extensive.

The Opposition accept the need for this Bill in the post-Brexit environment. When it was first introduced in the other place, it had several major flaws. It presented a bundle of Henry VIII powers that gave the Government and the Executive too much power. An effective coalition of Labour and Cross-Bench peers improved the Bill substantially.

Another weakness of the Bill was that, although it was titled the Sanctions and Anti-Money Laundering Bill, only one of its 53 clauses was devoted to anti-money laundering. Through a series of measures, both those that the Government did not support and those that they were forced to support, we have inserted stronger anti-money laundering provisions.

When the Bill came to this House, it was clear that more needed to be done on the human rights front. We tabled Magnitsky amendments, and we are pleased that the House is now united on the need for a Magnitsky law in this country. The Paradise and Panama papers have shown how British overseas territories and Crown dependencies play a major role in aiding tax evasion and money laundering. Without the great investigative journalism, many of the cases to which we have referred might never have been uncovered. Under David Cameron’s Administration, the Government promised to extend the United Kingdom’s—

7 pm

Debate interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E).

That the Bill be now read the Third time.

Question agreed to.

Bill read the Third time and passed, with amendments.

DEFERRED DIVISIONS

Motion made, and Question put forthwith (Standing Order No. 41A(3)).

That, at this day’s sitting, Standing Order No. 41 A (Deferred divisions) shall not apply to the Motion in the name of Mel Stride relating to Prisons (Interference with Wireless Telegraphy) Bill.—(Rory Stewart.)

Question agreed to.
Prisons (Interference with Wireless Telegraphy) Bill (Money)

Queen’s Recommendation signified.

Motion made, and Question proposed.

That, for the purposes of any Act resulting from the Prisons (Interference with Wireless Telegraphy) Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under the Prisons (Interference with Wireless Telegraphy) Act 2012 out of money so provided.—[Rory Stewart.]}

David Hanson (Delyn) (Lab) rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I was about to put the Question, but Mr Hanson wishes to speak.

7.1 pm

David Hanson (Delyn) (Lab): I was simply going to ask the Minister how much.

The Minister of State, Ministry of Justice (Rory Stewart):

This is about bringing in new technology. What this is really about is powers that will enable the Secretary of State to spend money, once the new technology is developed, to insert the new material. The approximate cost would be in the low millions per site, but we do not have the exact costs at the moment.

David Hanson: Well, I am grateful for that. If that is the low millions per site for every prison in the United Kingdom, perhaps the Minister can tell me, as I asked, how much and when.

Maria Caulfield (Lewes) (Con) rose—

Rory Stewart: With your permission, Mr Deputy Speaker—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Who is intervening—I am now beginning to lose even myself at this stage? I think what we should do is hear Maria Caulfield and then we will come back to the Minister to answer. I think that that is the best way to deal with this.

7.2 pm

Maria Caulfield (Lewes) (Con): I am grateful to the Government and the Minister for bringing forward the money resolution. I thank the Minister and his predecessor for their support for the Bill. I also thank Opposition Members. The Bill has cross-party support, and the shadow Minister has been extremely supportive as well.

The purpose of the Bill is to make our prisons safer and more secure, and to tackle the ongoing and increasing threat that mobile phones pose to the stability of our prison system. Having met prison officers in my local prison in Lewes and heard at first hand about the problems that illegal mobile phones cause, I believe that the Bill will significantly improve safety and make their jobs easier.

The purpose of sending offenders to prison is not just to punish them but to protect wider society. The illegal use of mobile phones in prisons allows offenders to continue their criminal activities and fuels the illicit economy. Access to the internet, such as social media, can allow them to contact and intimidate victims and witnesses.

Furthermore, the proposed technology will not interfere with any legitimate wireless telegraphy outside the relevant institution. It is also not the only security measure in place to tackle the illegal use of mobile phones. I welcome the Minister’s support and the money resolution, and I look forward to the Bill’s Committee stage.

7.3 pm

Imran Hussain (Bradford East) (Lab): I shall not be opposing the motion. As the hon. Member for Lewes (Maria Caulfield) and the Minister know, the Opposition did not oppose the Bill on Second Reading. However, we do challenge the careless attitude that the Government have displayed towards it and wider issues of prison reform. Prisons are in a worse condition now than they were under the Victorians. They are home to a dangerous level of violence and abuse, and are in nothing less than a state of emergency.

The Bill received its Second Reading on 1 December last year—it had cross-party support and passed without a vote—and Members on both sides of the House recognised the need to take steps on its explicit purpose of degrading prisoners’ ability to use mobile phones in prison. They also recognised the importance of its underlying purpose of restricting the supply of drugs to prisons and tackling the growing violence within them. Yet it is only now, five months later, that a money resolution is being considered.

We might be dealing with a private Member’s Bill, but if the Government were serious about tackling the use of mobile phones, and the supply of drugs and the dangers they pose, they would be acting quicker. They should be bringing these measures to the House in a Bill of their own, not relying on Back Benchers or delaying the Bill, thereby putting the safety of prisoners and prison staff at risk. The Government control time in the House, so there is no reason for delay when they have support. What has taken the Minister so long to reach the point at which the Bill can go into Committee? The Labour party is anxious to get on with reform because every delayed day is another day of violence. Will the Minister assure us now that there will be no undue delays, and tell us whether he has plans for a broader reform Bill?

7.6 pm

The Minister of State, Ministry of Justice (Rory Stewart): I rise to respond to the excellent speech made by the hon. Member for Bradford East (Imran Hussain) and the question asked by the right hon. Member for Delyn (David Hanson).

David Hanson: Again, I am interested to know how much. It is important that there is some context. I support the objectives of the Bill; I just want to get a flavour of the amounts involved.

Rory Stewart: This is a sensitive issue. We are clearly trying to prevent organised criminal gangs from using mobile telephones in prisons, for all the reasons mentioned by the hon. Member for Bradford East. We therefore cannot be too specific about exactly where we are going
to put these devices or exactly how we are going to interfere with mobile telephones. The answer that I have given is a broad figure in the ballpark of a few million pounds per site. I do not think that the right hon. Gentleman would wish me to share with the House the exact number of sites at which we are going to do this and which sites we will target first.

I pay tribute to my hon. Friend the Member for Lewes (Maria Caulfield) for all her extraordinary work as a Conservative Back Bencher to introduce the Bill. As the hon. Member for Bradford East pointed out, this is vital. There is a plague of mobile telephones that are being used to deal illicit drugs and to fuel violence. We need to cut down on them with better searching both at the prison gates and in cells, and we can also do much more to block the technology. With many thanks to Members, I commend the money resolution to the House.

Question put and agreed to.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)).

TRIBUNALS AND INQUIRIES

That the draft First-tier Tribunal and Upper Tribunal (Amendment) Order 2018, which was laid before this House on 22 February, be approved.—(Mims Davies.)

The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 2 May (Standing Order No. 41A).

Message from the House of Lords; the draft Employment Rights Act 1996 (NHS Recruitment – Protected Disclosure) Regulations 2018, which were laid before this House on 23 February, be approved.—(Mims Davies.)

Question agreed to.

REGULATORY REFORM

Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, we shall take motions 9 to 11 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft Employment Rights Act 1996 (NHS Recruitment – Protected Disclosure) Regulations 2018, which were laid before this House on 19 March, be approved.

LICENCES AND LICENSING

That the draft Licensing Act 2003 (Royal Wedding Licensing Hours) Order 2018, which was laid before this House on 21 March, be approved.

ANIMALS

That the draft Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018, which were laid before this House on 23 February, be approved.—(Mims Davies.)

Question agreed to.

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)).

EU DEFENCE: PERMANENT STRUCTURED CO-OPERATION

That this House takes note of Council Decision 2017/971 of 8 June 2017 determining the planning and conduct arrangements for EU non-executive military CSDP missions and amending Decisions 2010/96/CFSP on a European Union military mission to contribute to the training of Somalian security forces, 2013/34/CFSP on a European Union military mission to contribute to the training of the Malian armed forces, and (CFSP) 2016/610 on a European Union CSDP military training mission in the Central African Republic; further takes note of European Union Documents No. 14866/17 Council Decision establishing Permanent Structured Cooperation (PESCO) and determining the list of participating Member States; further takes note of Council Recommendation of 6 March 2018 concerning a roadmap for the implementation of PESCO and Council Decision (CFSP) 2018/340 of 6 March 2018 establishing the list of projects to be developed under PESCO; and agrees with the Government’s conclusion that PESCO must be designed in a way that strengthens the relationship with NATO and promotes an open and competitive European defence industry.—(Mims Davies.)

Question agreed to.

PETITIONS

Royal Bank of Scotland Closure: Kilwinning

7.9 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): This petition from the residents of the North Ayrshire and Arran constituency attracted 559 signatures, which were gathered by me, dedicated Kilwinning Scottish National party activists, and our Kilwinning SNP councillor, Scott Davidson.

The petition states:

The petition of residents of North Ayrshire and Arran, Declares that proposed closure of the 3 branches of the publicly-owned Royal Bank of Scotland in the areas of Kilbirnie, Kilwinning & Saltcoats will have a detrimental effect on local communities and the local economy.
[Patricia Gibson]

The petitioners therefore request that the House of Commons urges Her Majesty’s Treasury, the Department for Business, Energy and Industrial Strategy and the Royal Bank of Scotland to take into account the concerns of petitioners and take whatever steps they can to halt the planned closure of these branches.

And the petitioners remain, etc.

Royal Bank of Scotland Closure: Airdrie

7.10 pm

Neil Gray (Airdrie and Shotts) (SNP): I rise to present this petition from the residents in and around Airdrie in my constituency who are opposed to the closure of the Royal Bank of Scotland branch in the town. The petition gathered several hundred signatures, as local private customers and businesses who will be impacted by the closure wished to voice their displeasure. I hope that through this petition and others presented by my right hon. and hon. Friends, the bank may see sense and call a halt to the closures. That is a more distant hope when we see today’s news of further RBS closures, following last week’s announcement of the bank’s £1.2 billion first quarter pre-tax profit. That profit could easily be used to maintain a better branch network than the one that is currently being decimated. It is time that the UK Government used their shareholding on behalf of the taxpayer and acted.

The petition states:

The petition of residents of Airdrie and its surrounding area, declares that the closure of the town’s Royal Bank of Scotland branch will have a detrimental effect on both the people of Airdrie and the town centre itself.

The petitioners therefore request that the House of Commons asks the Royal Bank of Scotland board to revisit the decision given that the bank is still 70% publicly owned.

And the petitioners remain, etc.

Shop Direct (Greater Manchester)

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

7.12 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Thank you for calling me to speak, Mr Deputy Speaker. It is always a pleasure to see you in the Chair.

I am pleased to have been able to secure this very important debate on a matter that affects so many of my constituents and their families. Working at Shop Direct has been, for many families, a generational thing in that fathers, mothers, sons and daughters are employed across its sites. I am delighted to have here my hon. Friends the Members for Oldham West and Royton (Jim McMahon), for Worsley and Eccles South (Barbara Keeley) and for Heywood and Middleton (Liz McInnes), whose constituents have also been affected by the announcement of the closure of Shop Direct in Manchester.

By way of background, Mr Deputy Speaker—because I can see you are waiting with bated breath to find out more about what has happened—on 11 April, Shop Direct announced its decision to pull out of all its Greater Manchester sites, including Shaw in my constituency, with a total loss of almost 2,000 jobs. The Shop Direct distribution centre in Shaw currently employs 750 Shop Direct employees, with 636 agency employees. In total, the move affects 1,177 permanent staff and 815 agency workers. This has been devastating news for the Shop Direct staff and their families. Although the closure will not take place until 2020, the anticipated redundancies will have a dreadful effect on local communities, including, as I say, Shaw in my constituency.

Liz McInnes (Heywood and Middleton) (Lab): I wonder if my hon. Friend is aware of the ironic fact that on 23 March, just three weeks before it announced the closures, Shop Direct was crowned best employer at the Retail Week awards 2018 for its “coordinated programme of pioneering initiatives designed to empower colleagues, support new talent and offer opportunities to young people.”

This is a sad indictment of Shop Direct.

Debbie Abrahams: Absolutely. The irony is not lost on me, and I will come on to that.

What was so disappointing was the failure of Shop Direct to engage with anyone. As Shop Direct directors revealed on the morning of this announcement, this move has been planned for more than 18 months, and during that time there have been no discussions with staff, USDAW, Oldham Council, my colleagues and me or the Greater Manchester Mayor, Andy Burnham.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this issue to the House for consideration. Does she agree that it is time the Government began to intervene to encourage big businesses to remain in situ, especially considering that profits appear in this case to be 14.6% on the back of 15.9% growth in 2016 and 17.4% growth in 2015? Businesses must understand that they have a duty of care to employees, which does not appear to have been met in this case. It is not all about making profit; it is about looking after the employees.
Debbie Abrahams: Absolutely; I could not agree more. Shop Direct was created from the merger of the mail order and retail companies Littlewoods and Great Universal Stores, and the sites affected in Shaw, Little Hulton and Raven are the last remaining fulfilment sites in the north-west region. The company has been providing employment for families in Greater Manchester for many decades, and these sites have different generations of the same families working there. The impact of closures will be huge on hundreds of families, as well as local businesses and local communities.

This decision should in no way be seen as a reflection on the workforce’s capability or dedication. The professionalism and commitment of Shop Direct employees has been second to none. After years of dedication and commitment, many workers have been left reeling by this decision. I have received correspondence, including from one constituent who has worked for the company for more than 20 years, who said:

“I am aghast at how the workforce has been treated.”

I also understand that because of shift patterns, some staff received word of the closure by text message—just imagine how they felt.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): I congratulate my hon. Friend on securing this important debate and on the sterling work she has done to co-ordinate our collective response to this issue. Many people have worked for Shop Direct over many generations, right from the early days of Littlewoods, some with 30 or 40 years of service. What really hurts people and offends me is just how little consideration Shop Direct has given to that loyalty. When the decision was made to relocate to the east midlands, it did not care a jot about the impact that relocation would have on local businesses and local communities.

This decision should in no way be seen as a reflection on the workforce’s capability or dedication. The professionalism and commitment of Shop Direct employees has been second to none. After years of dedication and commitment, many workers have been left reeling by this decision. I have received correspondence, including from one constituent who has worked for the company for more than 20 years, who said:

“I am aghast at how the workforce has been treated.”

I also understand that because of shift patterns, some staff received word of the closure by text message—just imagine how they felt.

Debbie Abrahams: Absolutely; my hon. Friend has hit the nail on the head. This is a thriving business, and the callous disregard with which the workers have been treated is absolutely shameful. My hon. Friend the Member for Heywood and Middleton pointed to the fact that this business was named employer of the year. How can it be?

The decision is especially worrying because Shop Direct is not in financial trouble. It reported an increase in underlying profits before tax of 10.2% to £160.4 million last year. It has seen sales growth increasing over five consecutive years. The decisions it has made are purely commercial. The proposed site in the east midlands will employ fewer staff as Shop Direct moves towards increased automation. Given that automation is likely to offer commercial opportunities but also huge challenges for the UK labour market as a whole, the experience of Shop Direct workers has a wider impact on the UK labour market as a whole.

I am grateful to the Business Secretary for meeting me earlier today, but I will be seeking urgent action from the Minister in recognition of the support needed by Shop Direct workers in Oldham and Little Hulton and by workers across the country whose jobs may also be under threat as a result of automation.

Since the announcement, I have met the leader of Oldham Council and the USDAW union representatives for Shop Direct, alongside my hon. Friend the Member for Oldham West and Royton. I have also spoken to and subsequently met Shop Direct directors at a meeting convened by Greater Manchester Mayor Andy Burnham, together with my hon. Friend the Member for Worsley and Eccles South, council leaders, the Salford Mayor, Department for Work and Pensions and Department for Business, Energy and Industrial Strategy representatives and USDAW representatives, where we tried to seek a way forward.

It was essential to bring together around the table all the parties affected by Shop Direct’s proposed relocation to the east midlands so that it could hear directly from us our huge concerns about the move. At the meeting, Oldham Council tabled alternative proposals for a site of a similar size, accompanied by a favourable business package, at Broadgreen Park, Chadderton. Very disappointedly, however, this was rejected, and there was no willingness from Shop Direct to engage on alternative proposals in Greater Manchester.

Given that the Shop Direct executives appeared to have made their decision, my colleagues and I then pushed them to describe what specific training and support they would provide for the workforce over the next two years—including their communications strategy, given the poor communication to date—while in particular looking at options for the Raven Mill site as a specialist returns centre.

The Mayor put forward a proposal at the meeting to establish a taskforce, led by Greater Manchester’s Growth Company, which was agreed by all parties, including both Shop Direct and the Department for Work and Pensions. I understand that the first officers meeting of the taskforce was held yesterday, and I am awaiting feedback from it.

Working closely with USDAW, we will be holding the company to their legal obligations to engage in a meaningful consultation. The consultation started formally today, and the union has clearly stated that its test of whether it is meaningful is that Shop Direct should fully explore any options for relocating to a nearby site, as staff, through their trade union, are entitled to a say in the future of the business. The company has said in a statement that it will “be partnering with local and national organisations to provide our colleagues with tailored advice and training, including career skills, access to financial planning and vocational courses to support re-training. It’s also our plan to offer apprenticeships in in-demand skills across our existing operational sites.”

I am grateful for the response to my letter to the Prime Minister which I received last night not from this Business Minister but from another one—the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Watford (Richard Harrington)—but it only goes so far. What specific discussions has the Minister had with colleagues in the DWP and elsewhere on support, quality training and reskilling for the Shop Direct Greater Manchester workforce over the next two years?

Barbara Keeley (Worsley and Eccles South) (Lab): I want to ask my hon. Friend about the Little Hulton employees. Unemployment in Little Hulton is double the national average. As she has already said, no consideration has been shown for the loyalty of the staff there, many of whom have worked for the firm for decades. When we had the meeting with our friend the
Greater Manchester Mayor, Andy Burnham, there was a clear expectation that staff would remain in place for two years—across two Christmas seasons—and not take their redundancy until the end of that period. In a difficult place for unemployment, employment chances may come up during that period, and I really think that redundancy packages should be offered to staff earlier. Does she agree?

Debbie Abrahams: My hon. Friend makes a very valid point, and this needs to be explored. Again, I was struck by the lack of awareness among the directors we met about that situation, which really needs to be given considerably more thought.

I would be grateful to the Minister for an assurance that focused plans will be developed regarding skills and retraining packages, employment advice and financial support. Locally, it is vital for all parties, including the Government, to partner with Get Oldham Working, which provides holistic support to Oldham residents to access employment and training opportunities, as well as to work with local employers to undertake the workforce and skills requirements better. Will the Minister commit to his Department working with the council on workforce support and employment opportunities for current Shop Direct employees, and will BEIS representatives be actively involved in the taskforce that has been set up for this purpose? What discussions has he had about supporting Oldham Council and Shop Direct to bring new employment to the Shaw and Chadderton sites, and about ensuring that the future of all Greater Manchester sites are secured?

Turning to the wider implications of automation, the move to increased automation is given as a key driver behind Shop Direct’s proposals to move to the east midlands. The Minister will be aware that the Bank of England estimates that 15 million UK jobs will be affected by automation by the 2030s, with PricewaterhouseCoopers saying that a third of all UK jobs will be affected. There is already evidence of this in the retail sector and although automation will affect jobs at all levels, it will hit low-paid jobs first. The potential effect on already widening inequalities is a real risk, and the estimates do not even factor in the impact of Brexit on the economy and jobs.

We therefore need to know what measures the Government have put in place to support workers affected by the ascendance of automation. What are the Government doing to assess the impact on the labour market as a whole, and on socioeconomic inequalities? The Minister’s letter mentions the Matthew Taylor report and his positive outlook on innovation, but while we must embrace change we must also manage it, recognising that at each stage both positive and negative effects will be associated with industrial progress—as history has taught us—and we must look to mitigate the negative effects. The “we” in this are businesses, workers and their unions, and the Government. What, specifically, is being proposed to mitigate the negative effects of automation? For example, what engagement have the Government had with businesses regarding the challenges of automation, and in particular the way employers manage the transition to automation that supports their needs to compete, but recognises their responsibilities as employers?

The Government’s industrial strategy, published last year, stated that the Government will introduce a national retraining scheme in England by the end of this Parliament, with a high-level advisory group—the National Retraining Partnership—bringing together the Government, businesses and workers, through the Confederation of British Industry and the Trades Union Congress, to set the scheme’s strategic direction and oversee implementation. Given that the first meeting was only on 5 March, what progress has been made to date on this and how does the Minister envision this helping my constituents in Shaw and others affected across Greater Manchester? In addition, what support will be offered to agency workers, such as those at Blue Arrow, who will feel the impact in my constituency; and will it be worker led rather than employer led?

The sum of £40 million was announced in the spring statement to test innovative approaches to help adults upskill and reskill. What progress has been made on these pilots, and will the Minister consider a pilot in the Shaw and Greater Manchester areas? Information from Oldham Council indicates that Oldham’s labour market expects growth in health and social care, and business and financial services, which could be ideal for a national retraining scheme pilot, supporting career changers. I hope that the Minister will say something about that in his remarks.

I gently say to the Minister that, given that the Government cut £1.15 billion from the adult skills budget between 2010 and 2015, and the adult education budget is 40% less than it was 10 years ago, the money allocated to the national retraining scheme is a drop in the ocean. But whatever funding is available, I want to make sure that Oldham, and Greater Manchester as a whole, gets a fair crack at it.

Our vision for this country must be for a high-skill, high-pay, knowledge-driven economy, and the Government must recognise the investment needed to achieve that. Focusing, as much of the industrial strategy does, on a few elite sectors will not deliver on the ambition to transform Britain’s economy. Will the Minister therefore look at setting up sector councils, modelled on the highly successful Automotive Skills, for every strategically important industry, bringing together Government, business, trade associations, research councils and so on, so that they can collaboratively plan and take action for the future security and growth of each sector, including small and medium enterprises?

As people increasingly transition between jobs, training and re-training, we need to have a responsive, supportive and enabling social security system. This does not exist at the moment. The hostile environment in the Home Office is replicated in the Department for Work and Pensions. This has to stop. I would be grateful for the Minister’s reassurance that he will do everything in his power to work with the Secretary of State for Work and Pensions to ensure that my constituents are afforded the dignity and respect that they deserve, and that he will report back to the House on the joint work that he will undertake with the Secretary of State to make our social security system fit for purpose for everyone affected by this new world of work.

It is clear that as well as affecting nearly 2,000 workers in Greater Manchester, Shop Direct’s proposal to relocate and move towards greater automation in its distribution facilities is indicative of profound changes in the labour
market and the nature of work. Together with colleagues, I will continue to do all I can to support the 1,992 people affected by this decision and to maintain jobs on the sites affected. There are serious questions for Ministers about the impact of automation on the labour market, the increasingly insecure nature of work and our inadequate social security system. All those issues need to be addressed. I look forward to the Minister’s response to the many points I have raised.

7.30 pm
The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): I congratulate the hon. Member for Oldham East and Saddleworth (Debbie Abrahams) on securing this important debate, which follows the announcement on 11 April by Shop Direct Ltd that it would be closing three of its sites in the north-west of England, in Shaw, Little Hulton and Raven Mill, and consolidating its distribution operations in the east midlands gateway. I would also like to thank her for writing to the Prime Minister on this issue. My right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy has responded and met the hon. Lady earlier today to discuss this issue.

I appreciate that this is a worrying time for employees of Shop Direct Ltd and their families. I have listened to the contributions made here today and recognise that colleagues on both sides of the House are understandably concerned about the impact of the closures. Shop Direct Ltd is in formal consultation with the Union of Shop, Distribution and Allied Workers and, subject to this consultation, expects to offer an enhanced redundancy package, along with tailored support to all affected colleagues. As the exit process is not expected to start until mid-2020, there is an opportunity for Shop Direct Ltd to provide that individualised support. This will include training, career skills, access to financial planning and vocational courses to support retraining. I also understand that a local taskforce has been established, led by the Manchester Growth Company, and will include representatives of affected areas.

I am sure the hon. Lady can appreciate that I am unable to comment on commercial decisions made by the company and that it would not be appropriate for me to do so throughout the consultation period.

Jim McMahon: I accept that the Minister cannot comment on the commercial decisions taken by Shop Direct, but can he confirm whether it has been given any inducements to move to the east midlands, such as business rate benefits or relocation grants?

Mr Gyimah: That is a very important question. I am not aware of any inducements given to Shop Direct to move to the east midlands. I am sure the hon. Gentleman raised this issue in his discussions with the Secretary of State.

For companies to remain viable, and to keep in step with the modern competitive market, difficult decisions sometimes need to be taken. However, I recognise that this does not make the situation that some employees face any less troubling. I can reassure the House that the Government have measures in place for such situations. I will now turn to the protections in place for employees facing redundancy and the support available at such a difficult time.

The law is clear that organisations are required to consult with employee representatives about proposed collective redundancies where at least 20 employees are at risk at one establishment within the same 90-day period. Employers are required to provide specified information to representatives, or directly to affected employees if representatives have not been appointed. The consultation should include ways to avoid redundancy or dismissals, or to reduce the number of dismissals involved to mitigate the effects. Any employees who feel their rights have been denied may complain to an employment tribunal, which may make a protective award to the affected employees of up to 90 days’ pay.

Our priority is helping those who are affected to find new employment through the Jobcentre Plus rapid response service or to retrain if necessary. Rapid response service support is delivered in partnership with a range of national and local partners, including Her Majesty’s Revenue and Customs and local service providers. DWP and Jobcentre Plus will also work with the company to understand the level of employee support required. Just to reassure the House, typical support includes matching people to known local job vacancies, helping them to construct or improve their CVs and providing general information about benefits and how to make a claim.

Barbara Keeley: During the speech by my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams), I said that the company seems to expect that employees will stay for two years and across two Christmases, and not get their redundancy till the end, when they could all land on the unemployment market at the same time. Surely, it makes sense for redundancy packages to be spread across the two-year period, so that if job vacancies arise, my constituents and my hon. Friend’s constituents will be able to take advantage of them. Otherwise, in a ward such as Little Hulton, where unemployment is twice the national average, it will be pretty hard in the end.

Mr Gyimah: The hon. Lady makes a good point about having some flexibility on when people get their redundancy, especially if they find new opportunities. That has been noted and the relevant Minister will get back to her about how we can raise that with the company. It is a relevant point. The support that I mentioned is available to all those who are affected by potential job losses and goes beyond direct employees of the business to those such as self-employed subcontractors and individuals working for suppliers affected by the outcome of such structural changes.

The hon. Member for Oldham East and Saddleworth asked generally about what is happening in the retail sector. We can all agree that the retail sector has a vital role to play in the local community and the national economy. The Government work with retailers to understand their needs and we have acted to support the sector. In March, we announced the Retail Sector Council as part of our industrial strategy. Its first meeting has taken place and through the council, the Government and industry are working together to contribute to the sector’s future direction to boost productivity and economic health. Council members will review the best way that retailers can adapt to changing consumer behaviour and trends. They will also look at new technology opportunities such as those that will improve customer service and the chance to grow skills through a sector push on high-value training.
[Mr Gyimah]

The Government recognise the importance of our high street, and since 2010, we have given over £18 million to towns, funding successful initiatives such as the Great British High Street. In the autumn Budget 2017, we announced measures worth more than £2.3 billion over five years to cut business rates. This includes bringing forward the planned switch in the indexation of business rates from the retail prices index to the consumer prices index by two years to 2018. That will benefit retailers, as well as other businesses.

Jim McMahon: While we are on the business rates point, is the Minister aware that the two sites in Oldham together have rateable values of £1.3 million? Of course, Oldham is one of the business rates pilot authorities. If we do not find an alternative employer to take those premises, that will have a direct impact on the council’s budget. In context, that would be the whole of the council’s youth service budget gone.

Mr Gyimah: These are all very important points, but as I said, businesses make commercial decisions driven by their own commercial interest. The Government’s responsibility is to support the employees, find new work and to support the local community as it transitions through this period.

Let me come to some of the other points made by the hon. Member for Oldham East and Saddleworth. The broader question of automation was raised. Of course, we recognise the workplace challenges as well as the potential opportunities. Matthew Taylor stated in his review of modern working practices that history has shown that technological advancements and the automation of individual tasks can lead to job creation. In our response to his review, we set out our Good Work plan to ensure that the labour market is resilient enough to respond to the changes that automation may bring.

Debbie Abrahams: My specific point about Shop Direct is that we need BEIS support—Government support—to ensure that, if it does ultimately leave the sites in Greater Manchester, alternative employment will be brought in. Just saying that it is the responsibility of the employees to reskill and retrain is not good enough.

Mr Gyimah: I certainly have not said that it is the responsibility of the employees to reskill and retrain; I have said that the Jobcentre Plus rapid response service will be working directly with them, and BEIS will work with the taskforce at the local level as far as the transition is concerned. A number of important conversations will have to take place on this over the next few years, but I can give the hon. Lady a categorical assurance that Ministers, as well as BEIS employees, will work closely with her and her colleagues to make this transition as smooth as possible for the employees and the local community.

Question put and agreed to.

7.40 pm

House adjourned.
House of Commons

Wednesday 2 May 2018

The House met at half-past Eleven o’clock

PRAYERS

[Mr Speaker in the Chair]

Oral Answers to Questions

WALES

The Secretary of State was asked—

Welfare Reform

1. Wayne David (Caerphilly) (Lab): What recent assessment he has made of the effect of welfare reforms since 2015 on people living in Wales.

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): Welfare reforms in Wales are working. Since 2015, 54,000 more people have been employed; 25,000 fewer people are unemployed; and 25,000 fewer people are economically inactive. This demonstrates that welfare reforms are transforming lives across the country. As research shows, universal credit claimants spend more time looking and applying for work than those on previous benefits.

Wayne David: In January, the Wales Audit Office produced a report saying that the Government’s welfare reform policies were contributing to homelessness in Wales. What does the Minister think is causing homelessness in Wales?

Stuart Andrew: We have been very careful to consult a wide range of experts—people working for disability charities and medical professionals—to make sure we get these assessments right. The hon. Gentleman is right that mental health needs to be looked at very carefully, and I will take up his invitation: I will meet my right hon. Friend the Secretary of State for Work and Pensions.

Geraint Davies: If he will discuss with Network Rail its decision to reduce levels of investment in south Wales; and what recent discussions he has had with Cabinet colleagues on the cancellation of the electrification of the line between Cardiff and Swansea.

The Secretary of State for Wales (Alun Cairns): Network Rail’s budget for investment in the Wales route is more than £1.3 billion—record investment in Wales’ railway infrastructure. Passengers in south Wales are also directly benefiting from our £5.7 billion of investment in the new intercity express trains operating from west Wales through Swansea to London.

Geraint Davies: The Secretary of State knows that Wales has 5% of the population and 6% of the railways yet less than 2% of the investment. Network Rail has just cut £1 billion from its projects, and £700 million has been cut from rail electrification. Will he now promise to support the Swansea bay electrified city metro scheme, alongside alignment, which would reduce the time between Cardiff and Swansea and result in faster, greener connectivity for Swansea bay?

Alun Cairns: The hon. Gentleman well knows that Wales does not operate in isolation. The hon. Member for Wrexham (Ian C. Lucas), for example, has been campaigning for the Halton curve, which is in England but of course would serve north Wales and link it better with Merseyside, demonstrating how the rail network in Wales does not operate in isolation. I have met Mark Barry, the proponent of the Swansea bay metro. He is undertaking a host of work on it, and we will happily look closely at it, but I point the hon. Gentleman to the need for a decent cost-benefit ratio.

Michael Fabricant (Lichfield) (Con): On the subject of electrification of the line to Swansea, is my right hon. Friend aware that the South Wales chamber of commerce, in Swansea, is a darned sight more concerned about there being an old Labour Government in this country destroying industry than about shaving two minutes off a journey time?
**Alun Cairns**: My hon. Friend makes an important point. The political grandstanding by some Opposition Members does nothing other than undermine potential investment in Swansea. Nor will we take any lectures from a party that left Wales in the same league as Moldova and Albania in not having a single track of electrified railway line.

**Ben Lake** (Ceredigion) (PC): There is considerable disagreement about the total amount saved by the cancellation of electrification to south Wales—the figures range from £430 million to £700 million—but, irrespective of the total amount saved, does the Secretary of State not agree that there is a compelling case for reinvesting any funds saved by the cancellation in the Welsh network?

**Alun Cairns**: The hon. Gentleman has made an important point. There are opportunities for new railway investment in Wales. The Department for Transport’s strategic outline business case includes a range of options, one of which is improving access to west Wales; that would be transformed by a Swansea Parkway railway station, for which there is a growing demand. We are well aware of the Welsh Government’s interest in linking Aberystwyth and Carmarthen, and I think that those schemes would be complementary.

**Christina Rees** (Neath) (Lab/Co-op): Before I ask my question, Mr Speaker, I hope you will allow me to mention Tecwyn Thomas, a stalwart of Welsh Labour for many years, who has sadly passed away. He was my agent, and the agent of many Labour candidates in Wales. My colleagues and I send our condolences to Tecwyn’s widow Iris, and to his family.

According to a report from the National Audit Office, the Transport Secretary knew that bimodal trains would not provide the equivalent of electrification and that no trains exist that could deliver the timetable. Does the Secretary of State agree that the Transport Secretary acted against the advice that he was given when he cancelled electrification to Swansea, and that that has resulted in poor execution of Network Rail’s electrification work in south Wales?

**Alun Cairns**: Let me also pay tribute to the late member of the Labour party whom the hon. Lady mentioned.

A report from the Public Accounts Committee, to which I refer the hon. Lady, said that the plan for electrification between south Wales and Paddington should be reassessed on a stage-by-stage basis, and that is exactly what we did. Electrification would provide no practical journey time saving between Cardiff and Swansea; passengers would sit on the same train. I think we need to get over that issue. I am seeking to attract investment to Swansea, and constantly criticising the cancellation of a plan that would deliver no practical benefits to passengers does nothing to help that.

**Christina Rees**: In the Transport Secretary’s statement of 20 July 2017, which cancelled the electrification of the line of Swansea, it was proposed that a new pipeline service be established for rail enhancement schemes. However, details of the process, and mechanisms for the development and delivery of the schemes, have not been forthcoming, and no Welsh scheme has yet entered the pipeline. Will the Secretary of State explain what the Transport Secretary is doing to prioritise the funds that Welsh projects so desperately need through that pipeline service?

**Alun Cairns**: As I have said, there are a number of options in the strategic outline business case, and it is important for us to use that to assess the merits of the study. The increase in the costs of electrification projects throughout the United Kingdom has naturally caused alarm—I mentioned the report of the Public Accounts Committee earlier—but I am excited by the proposals in the business case. I have already mentioned the potential, and the growing demand, for a Swansea Parkway station, as well as a new station at St Mellons. There is a host of opportunities.

**UK Administrations: Co-operation**

3. **Stephen Kerr** (Stirling) (Con): What recent steps his Department has taken to improve co-operation between the UK, Welsh and Scottish Governments.

**The Secretary of State for Wales** (Alun Cairns): I was always optimistic that discussions with the Welsh Government would result in agreement on the European Union (Withdrawal) Bill. The agreement that has been reached is testimony to the close intergovernmental working that has taken place and to the spirit of co-operation, and I am still hopeful that the Scottish Government will sign up to it as well.

**Stephen Kerr**: Does my right hon. Friend agree that the agreement—announced last week—between the Welsh Government and the UK Government in respect of clause 11 of the Bill shows what can be achieved when Governments work together constructively for the benefit of the whole United Kingdom and all its peoples?

**Alun Cairns**: My hon. Friend has made an extremely important point. I think the agreement demonstrates the maturity of the relationship between the UK Government and the devolved Administrations. The Welsh Government recognised the merits of providing certainty and security for businesses and communities. I am still hopeful that we can underline the benefits of the scheme to Scottish businesses and communities, and that we can attract the support of the Scottish Government.

**Ian C. Lucas** (Wrexham) (Lab): The heavy hand of the Treasury is still delaying investment in north Wales. Will the Secretary of State commit to real devolution, as we in north Wales want the freedom to invest and attract investment ourselves, to improve our infrastructure?

**Alun Cairns**: I draw the hon. Gentleman’s attention to the north Wales growth deal that we are currently negotiating between the authorities and businesses in north Wales. I met Ken Skates, the Economy Minister, just last week to discuss it. We are anxious to see greater devolution, but some Assembly Members do not want that, because some areas of north Wales have traditionally felt as isolated from Cardiff Bay as from Westminster.

**Mr David Jones** (Clwyd West) (Con): Will my right hon. Friend extend to the Welsh Government the thanks of many hon. Members of this House for accepting the
UK Government’s sensible and pragmatic proposals for resolving the issue of the repatriation of powers, thereby reflecting the fact that Wales voted to leave the European Union in 2016?

Alun Cairns: I am grateful to my right hon. Friend for that question, because he rightly focuses on the practical benefits and the outcomes. I believe that so long as we are focusing on an environment in which business can continue to invest, employ and represent communities in the way we have negotiated with the Welsh Government, that will put us in the strongest position to get the best benefits for every part of the UK.

Patrick Grady (Glasgow North) (SNP): I am sure that, in the interests of co-operation, the Government would not want to do anything that undermines the devolution settlement. Do they not recognise that the Conservatives are isolated in the Scottish Parliament, where there is a cross-party consensus that the EU withdrawal Bill is not fit for purpose? Will the Secretary of State therefore ensure that the House of Lords is not asked to consider the European Union (Withdrawal) Bill on Third Reading until all the devolved Assemblies have had a chance to pass a legislative consent motion?

Alun Cairns: As my right hon. Friend the Member for Clwyd West (Mr Jones) highlighted, so long as we focus on outcomes—and the Scottish Government focus on outcomes and delivering for Scottish businesses—I am confident we can reach an agreement. The Welsh Government clearly would not undermine the devolution settlement as far as Wales is concerned, and I hope the Scottish Government will see the merits of the certainty and security that we can offer Scottish industry and Scottish business with this agreement.

Policing Budgets

4. Jo Stevens (Cardiff Central) (Lab): What assessment has he made of the effect of changes to policing budgets since 2015 on Welsh police forces.

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): The Government understand that police demand is changing and becoming increasingly complex. That is why, after speaking to all forces in England and Wales, we have provided a comprehensive funding settlement which will increase total investment in the police system by over £460 million in 2018-19.

Jo Stevens: Cardiff hosts more than 400 major events a year—civic, political and royal—as a UK capital city, and on top of the Government’s police funding cuts, my constituents are having to find money to pay an extra £3 million for the annual cost of policing those events, which is the equivalent of 60 police officers. When are the Government going to recognise South Wales police as a capital city force, with proper funding to match?

Stuart Andrew: As I said earlier, we have consulted all the police and crime commissioners and chief constables, as they are ultimately best placed to understand their local needs. Following the police funding settlement, most PCCs have set out plans either to protect or to increase frontline policing this year. I acknowledge the hon. Lady’s point on Cardiff; that is part of a national formula, but I will be happy to meet her if she wants to discuss it further.

John Stevenson (Carlisle) (Con): Does the Minister agree that policing is not just about budgets and money, although they do matter, but about leadership, strategy and organisation?

Stuart Andrew: My hon. Friend is absolutely right. I saw an interesting statistic recently: if we increase productivity through the better use of digital technology, we could save each police officer an hour a day, when they could be on the frontline. That would be the equivalent of 11,000 extra police officers a year on the streets of the country.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I, too, extend my condolences to the family of Tecwyn Thomas. He was well known, and was ready to work with other parties, including mine, to the benefit of his area.

Police forces in Wales pay £2 million a year towards the Government apprenticeship levy, yet get virtually no financial support towards training. Skills and education are devolved competences, but this levy was imposed by Westminster—cue entirely predictable confusion and buck-passing. Where was the consent decision to impose a 0.5% tax on major Welsh employers?

Stuart Andrew: In the conversations I have had with many businesses around north Wales, they have welcomed the apprenticeship levy—

Liz Saville Roberts: Not the CBI.

Stuart Andrew: Well, I have been round a number of businesses, and they welcome the levy. The fact is that training in Wales is devolved, as the hon. Lady has said, and the amount of money that the UK Government have given to the Welsh Government exceeds the amount that the Welsh Government are spending on training.

Liz Saville Roberts: I am sure the Minister shares my concern that the word “Orwellian” is overused in contemporary politics, but does he also share my concern that the Orwellian concept of doublespeak is epitomised in what now constitutes devolved consent agreement—namely, consent as agreeing to consent, consent as disagreeing to consent and consent as refusing to consent? How can Wales possibly say no?

Stuart Andrew: There have been extensive discussions with the Welsh Government, and they have recognised that the UK Government have come a long way and that the levy is beneficial to the whole United Kingdom. I hope that other Governments will follow suit.

Several hon. Members rose—

Mr Speaker: Order. If the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) wants to come in briefly on this question, he can, but he is not obliged to do so.
Jonathan Edwards (Carmarthen East and Dinefwr) (PC): A recent report by Her Majesty's inspectorate of constabulary on the National Police Air Service concluded that the service was financially unsustainable and that flying hours had halved despite the cost of flight hours doubling. Is it not the reality that the centralisation of police air support on an England and Wales basis has been an unmitigated failure, and that the decision of the British Government to steal our dedicated police helicopter in Dyfed-Powys has led to a second-rate service for my constituents?

Stuart Andrew: As the hon. Gentleman will know, the responsibility for overseeing NPAS lies with its strategic board, which is made up of police and crime commissioners and chief constables, including the Dyfed-Powys PCC. Both NPAS and the National Police Chiefs Council have already announced that they are undertaking work to address the issues that he has raised, and Mark Burns-Williamson has said that many of the areas identified in the report have already been recognised and they are doing work to address them.

Rail Links with England

5. Mr Tanmanjeet Singh Dhesi (Slough) (Lab): What recent discussions he has had with the Secretary of State for Transport on the adequacy of rail links between Wales and England.

Mr Dhesi: The western rail link to Heathrow—a 4-mile track between Slough and Heathrow—could mean a two-hour journey from Heathrow to Cardiff and Newport and a journey of around three hours to Swansea, not to mention huge economic and environmental benefits. The Welsh Government are in favour of this, the UK Government themselves committed to it in 2012, and yesterday an all-party parliamentary group on the western rail link to Heathrow—co-chaired by the right hon. Member for Newbury (Richard Benyon) and myself—was launched to remind the Government of their commitment. Will the Minister tell us when the link will finally be built, or are we to be subjected to further sluggish studies and Government procrastination?

Stuart Andrew: I was about to be very complimentary and say that the hon. Gentleman had been a doughty campaigner on this issue, as have many people across the House. The western rail link to Heathrow would significantly improve rail journey times, and it is named in Network Rail's enhancement pipeline. Network Rail is progressing the design and development of the link, and a final consultation on the proposed alignment is expected to commence this month.

Mr Philip Dunne (Ludlow) (Con): Since the Secretary of State for Transport has agreed to give the power to award the next Cardiff to Manchester rail franchise to the Welsh Assembly, will my hon. Friend give the English MPs through whose constituencies—which include the beautiful towns of Church Stretton, Craven Arms and Ludlow—this line passes some indication of how we can hold the Welsh Government to account on this matter?

Stuart Andrew: It is a line that I have used many times myself, and my hon. Friend is right to say that parts of his constituency are very beautiful. We have ensured that there is an agency agreement between the UK Government and the Welsh Government, so that English passengers—and Members of this House—can go to the Secretary of State for Transport and he can raise their questions directly with the Welsh Government.

Industrial Strategy

6. Tom Pursglove (Corby) (Con): What steps the Government are taking to ensure that the industrial strategy benefits Wales.

The Secretary of State for Wales (Alun Cairns): There are significant opportunities for Wales from the industrial strategy, particularly in relation to innovation, where there is a commitment to raise the total research and development spend to 2.4% of the economy. This is already benefiting Wales, with almost £6 million committed to 17 Welsh partner projects.

Tom Pursglove: I am grateful to the Secretary of State for that answer, but will he outline how he is ensuring that research and innovation, which is a key part of the industrial strategy in Wales, is recognised across the world?

Alun Cairns: My hon. Friend is a key campaigner for the steel industry, and I draw his attention to the Swansea bay city deal and the industrial strategy, which has established a new national Steel and Metals Institute, not only offering long-term viability to the industry in Wales, but complementing his constituency's interests.

Kevin Foster: I thank my right hon. Friend for his answers so far. Does he agree that the combination of scrapping the Severn tolls and the cross-border commitment to the industrial strategy represents a significant boost for south Wales, mid-Wales and even south-west England?

Alun Cairns: My hon. Friend rightly draws attention to our commitment to scrap the Severn tolls by the end of this year, which will benefit south-west England and his constituency, as well as the south Wales economy. We are developing a new economic region and the industrial strategy commits to cross-border growth corridors. There is a great deal of excitement in south Wales and the south-west.

Jessica Morden (Newport East) (Lab): In view of the lack of news about a sector deal for steel—coupled with looming trade disruption caused by US steel tariffs, what is the Secretary of State doing in Cabinet to press for action to get the UK—[Interruption.]
Mr Speaker: Order. The hon. Lady has been overwhelmed by just how popular she is. We will just have to hear the question again from start to finish.

Jessica Morden: In the light of the lack of news about a sector deal for steel, coupled with the looming trade disruption caused by US steel tariffs, what is the Secretary of State doing in Cabinet to press for action to get the UK steel sector a more sustainable future? When is the next Steel Council?

Alun Cairns: I have already referred to the national Steel and Metals Institute at Swansea University, which is important for the sustainability of the steel sector. On the US trading arrangements on steel, the UK and European exemption was extended last week, and my right hon. Friend the Secretary of State for International Trade has travelled to the US specifically to discuss the matter. I have also raised the matter with the US ambassador here, and we are optimistic.

Mr Speaker: It is not possible to be more grateful to the Secretary of State.

Chris Evans (Islwyn) (Lab/Co-op): At the heart of the industrial strategy is a commitment to 5G connectivity for businesses in Wales. Most businesses across Wales, including in my constituency, have little or no connectivity and slow connections. The Secretary of State has been warned by the CBI that the industrial strategy must be achievable. Is all this not just pie in the sky for businesses that are not connected at the moment?

Alun Cairns: I point to the commitment to the Swansea bay city deal and to our ambition for Cardiff to be a 5G testbed, and we are excited for the opportunities that they will bring. As for connectivity, the Welsh Government have a significant responsibility and, although they have recently committed more money, I ask them to look at their planning rules. The highest that a mast can be in Wales is 15 metres, whereas masts can go to 25 metres in England.

Swansea Bay Tidal Lagoon

7. Liz Twist (Blaydon) (Lab): What discussions he has had with the Secretary of State for Business, Energy and Industrial Strategy on the effect on the Welsh economy of the Government not yet having made a decision on the Swansea Bay tidal lagoon.

The Secretary of State for Wales (Alun Cairns): I have regular discussions with Ministers at the Department for Business, Energy and Industrial Strategy on energy matters pertaining to Wales, including the potential role that tidal could play in our energy mix. As I have said previously, it is an untried technology, so it is quite right that we take time to consider both the opportunities and challenges that it presents.

Liz Twist: Will the Secretary of State now make a statement on the timetable for a decision on the Swansea Bay tidal lagoon? Has he asked his colleagues in BEIS to commit to such a timetable?

Alun Cairns: I have regular discussions with my colleagues in BEIS and with my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy about the project. We would like it to go forward, but it must provide value for money, so it is right that we take time to consider the matter. Data has been shared with the Welsh Government, demonstrating the partnership approach that we are determined to take, but no one should want the project to go ahead if it does not represent good value for money for the taxpayer.

Leaving the EU: Welsh Economy

8. Bambos Charalambous (Enfield, Southgate) (Lab): What recent assessment he has made of the effect on the Welsh economy of the time being taken to legislate on the UK leaving the EU.

14. Anna McMorrin (Cardiff North) (Lab): What recent assessment he has made of the effect on the Welsh economy of the time being taken to legislate on the UK leaving the EU.

The Secretary of State for Wales (Alun Cairns): The agreement reached between the UK Government and the Welsh Government on the European Union (Withdrawal) Bill will ensure that we exit from the EU with the certainty and continuity that businesses and communities across Wales have called for.

Bambos Charalambous: Will the Minister reassure the House, and businesses across Wales, by confirming that arrangements will be put in place to ensure that new trade deals negotiated after we leave the European Union do not undermine devolved policies?

Alun Cairns: I am grateful that the hon. Gentleman is looking at the opportunities that leaving the European Union provides. Obviously, exports from Wales to the rest of the world are expanding at a much quicker rate than exports to the European Union, which demonstrates that businesses are already looking to those new opportunities, and more Members are looking to those opportunities as we have them.

Anna McMorrin: My constituent Damian Harris owns a cycle shop in Cardiff North but is struggling because of the uncertainty caused by Brexit. Twenty-nine of the 30 bikes he stocks come from the EU and, at the very least, he needs a customs union to have any sort of viable future. We are now hearing that 60 Tory MPs are plotting to sink their own Government to force the Prime Minister to abandon any form of customs arrangement. Will the Secretary of State guarantee that he will work with the Welsh Government and speak up against that decision? A low-skilled workforce and—

Mr Speaker: Order. We are grateful for the hon. Lady’s thoughts but, unfortunately, one has to take account of the situation in the Chamber. The question needed to be a bit shorter.

Alun Cairns: My right hon. Friend the Prime Minister is absolutely clear that we will be leaving the customs union but, of course, we are keen to negotiate to allow for the most frictionless trade possible with the European Union. We are also keen to take the new opportunities that leaving the European Union provides. We are keen to strike trade agreements right around the world, and to strike free trade agreements in due course.
David T. C. Davies (Monmouth) (Con): My right hon. Friend will know that Labour’s economic development spokesman in the Welsh Government, Ken Skates, has spoken of the fact that Wales is receiving record amounts of inward investment. He said that Wales is “punching above its weight” at the moment. Is it not time that Labour Members started to listen to their own economic development Minister in Wales and stopped talking down the Welsh economy, which is booming under this Government?

Alun Cairns: Having met international investors from Japan, Qatar, the US and elsewhere over recent months, I am excited and optimistic about our prospects outside the European Union. Yesterday it was a privilege to be part of the inaugural flight from Qatar to Cardiff, which demonstrates that the industrial strategy, and the wider approach taken by the UK Government in seeking new markets, is already working.

Reoffending Rates

10. Bob Blackman (Harrow East) (Con): What steps the Government are taking to reduce reoffending rates in Wales.

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): Continuing the success of the “Wales reducing reoffending strategy”, the Prison Service in Wales, working with the Welsh Government, recently launched a joint framework to support those at risk of offending in Wales by focusing on early intervention to reduce the number of people entering the criminal justice system.

Bob Blackman: Does my hon. Friend agree it is vital that prison governors prepare offenders for life outside prison? For that purpose, will he therefore draw on the lessons from the Homelessness Reduction Act 2017, which has already been implemented in England?

Stuart Andrew: My hon. Friend knows more about the Homelessness Reduction Act than anyone, and I congratulate him on the hard work he did to introduce the Act. He will be pleased to hear that the Ministry of Justice recently reached its target early to recruit 2,500 additional prison officers so that prisons can start preparing offenders for life outside prison.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [905092] Wera Hobhouse (Bath) (LD): If she will list her official engagements for Wednesday 2 May.

The Prime Minister (Mrs Theresa May): I know that Members across the whole House will wish to join me in offering our deepest condolences to the family and friends of Michael Martin, latterly Lord Martin of Springburn, who died earlier this week. He served as Speaker for nearly nine years, and I am sure Members will remember his sense of public service, his commitment to his constituency in Glasgow and his good humour. I particularly remember him for the courtesy he always showed me.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Wera Hobhouse: Upskirting is the vile practice of taking a photo under a woman’s skirt without her consent. It is neither a specific nor a sexual offence under the current law in England and Wales. I have been working closely with Gina Martin, who has been campaigning for months to change that, and her lawyer to produce a private Member’s Bill to make upskirting a specific crime under the Sexual Offences Act 2003. They have both joined us here today.

Does the Prime Minister agree with us that the law in England and Wales should be reformed so that, in all circumstances, women like Gina and, indeed, the Prime Minister herself will be protected from upskirt images being taken without their consent?

The Prime Minister: May I first say to the hon. Lady that I share the outrage at this intrusive behaviour that she has referred to and the distress it can cause to victims? We are determined to ensure that victims do have confidence that their complaints will be taken seriously. It is possible currently to bring prosecutions, but my right hon. Friend the Justice Secretary is examining the state of the law at the moment to make sure it is fit for purpose and, as part of that work, he is considering her Bill in detail.

Q3. [905094] Rehman Chishti (Gillingham and Rainham) (Con): Medway has recently been shortlisted to receive £170 million from the Government’s housing infrastructure fund, which will help to build and support 12,000 houses locally, having also benefited from the £6 billion Government lower Thames crossing. Can the Prime Minister confirm that this demonstrates the Government’s commitment to supporting local communities?

The Prime Minister: We absolutely share my hon. Friend’s concern about ensuring that we are supporting local communities, and that we are delivering better infrastructure in those communities and maximising the potential of our country. The housing infrastructure fund is an important part of that. We need to build more homes across this country, but we also need to ensure that the infrastructure is there to support those homes and help those local communities. That is exactly what we are doing.

Jeremy Corbyn (Islington North) (Lab): I join the Prime Minister in paying tribute to Michael Martin, the former Labour MP for Glasgow, Springburn and later Speaker of the House. He worked in the engineering industry in Glasgow and was active in the then Amalgamated Union of Engineering Workers. He and I first met when we were fellow organisers in the National Union of Public Employees in the 1970s, campaigning for decent public sector pay and a national minimum wage. Michael loved the community he represented and loved his family, and our deepest thoughts and sympathies go to his family at this time.

Did the Prime Minister feel the slightest pang of guilt when the Home Secretary was forced to resign due to the failures of her predecessor?

The Prime Minister: I think it might be helpful if I first update the House on the actions the Government have taken and are continuing to take in relation to the
Windrush generation. My right hon. Friend the Home Secretary will be addressing the House on this later today. We all share the ambition to make sure we do right by members of the Windrush generation, which is why he will be announcing a package of measures to bring transparency on the issue, to make sure that the House is informed, and to reassure Members of this House but, more importantly, to reassure those people who have been directly affected. Speed is of the essence and my right hon. Friend will be commissioning a full review of lessons learned, independent oversight and external challenge, with the intention of reporting back to this House before we rise for the summer. The review will have full access to all relevant information in the Home Office, including policy papers and casework decisions.

Jeremy Corbyn: This was a crisis made in the Home Office by successive Home Secretaries. Only a week ago today, the right hon. Member for Hastings and Rye (Amber Rudd), then Home Secretary, was denying there were any targets, in front of the Home Affairs Committee. On Monday, the Prime Minister told the media: “When I was Home Secretary, yes, there were targets”. One wonders why the Prime Minister didn’t tell her Home Secretary about that. The pain that has been caused to the Windrush generation needs to be resolved very rapidly, with full compensation paid as quickly as it can possibly be done and an understanding of the hurt that they feel. But this is not the only failure of this Government or of their policies. The Government used to talk about a “long-term economic plan”, but now we have the slowest growing economy in the G7. The Chancellor, sitting two places along from the Prime Minister, told the House that he had a “positively Tiggerish” view of the British economy, yet it has the worst economic growth figures for five years. What plans do the Government have to change course to ensure we do get economic growth?

The Prime Minister: First, may I say to the right hon. Gentleman, on the Windrush generation, I was Home Secretary when some of these decisions were taken and mistakes were made about individual cases, and I have apologised for that. The former Home Secretary also apologised for that. The right hon. Gentleman is right in saying that these are decisions that have been taken under successive Home Secretaries, including under the last Labour Government, and if he wants to talk about the economy, let’s just look at what we have seen in our economy in recent weeks: day-to-day spending in surplus for the first time in 16 years; the lowest net borrowing in over a decade; exports of goods and services at a record high; employment at a record high; and real wages up. One wonders why the Prime Minister didn’t tell her Home Secretary about that. The pain that has been caused to the Windrush generation needs to be resolved very rapidly, with full compensation paid as quickly as it can possibly be done and an understanding of the hurt that they feel. But this is not the only failure of this Government or of their policies. The Government used to talk about a “long-term economic plan”, but now we have the slowest growing economy in the G7. The Chancellor, sitting two places along from the Prime Minister, told the House that he had a “positively Tiggerish” view of the British economy, yet it has the worst economic growth figures for five years. What plans do the Government have to change course to ensure we do get economic growth?

Jeremy Corbyn: Four facts about the economy: more people in debt, more people using food banks, more people sleeping on our streets, and more children in poverty. The consequences of decisions made by the Chancellor of the Exchequer are that the NHS is suffering the longest funding squeeze in history. It has sent our health service into an all-year-round crisis. Will the Prime Minister apologise to NHS patients waiting longer than ever for the worst A&E waiting times on record?

The Prime Minister: I gave the right hon. Gentleman some facts about the economy: I can give him some others: more people in work, and actually fewer children in absolute poverty under this Government. When it comes to the national health service, since November my right hon. Friend the Chancellor of the Exchequer has announced £10 billion extra for the national health service. I have also said that we want to ensure that the national health service is able to operate on a long-term plan. That is why we are conducting a review to produce that long-term plan, with sustainable multi-year funding. That is the sensible approach to take—not just to say that this is all about money, but to say, “How can we ensure that the NHS is the NHS that will deliver for people in the future?” That is about funding. It is also about reforming the NHS to make sure that patients get the right treatment.

Jeremy Corbyn: Not only was March the worst month on record in A&E departments; it was also the worst month for cancelled operations. There are 100,000 vacancies for NHS staff—and the Prime Minister personally intervened to overrule the Health Secretary and the previous Home Secretary when they asked for a relaxation of visa rules in order to recruit staff to work in our NHS. But it is not just the NHS where the Government are damaging our public services. In January, the Education Secretary promised that no school would see a cut in its funding. Last week, he was invited to repeat that pledge, and refused. I wonder why. Will the Prime Minister now tell parents, teachers and students the truth—that the schools budget is in fact being cut in real terms all over the country?

The Prime Minister: The right hon. Gentleman is wrong. What we are doing is ensuring that there is more money available to schools. We are ensuring that we are protecting that core budget, because we want to ensure that every child, regardless of their background, gets the education that they need and the education that fulfils their potential. That is why, once again, it is not just a question of the money you put in; it is about how you spend the money you are spending. That is why I am pleased to say that 1.9 million more children are in good or outstanding schools under this Government and education standards are going up under this Government. That means more opportunities for our young people.

Jeremy Corbyn: It is quite astonishing that the Education Secretary has been corrected by the UK Statistics Authority. The Institute for Fiscal Studies says that schools budgets are being cut, and the Prime Minister still appears to be in denial. It is not just in the NHS and education that this Government are damaging our public services; it is also about police budgets. The previous Home Secretary claimed there was no link between police numbers and serious violent crime; yet Home Office civil servants said there is a link. Who does the Prime Minister think is right?

The Prime Minister: First, on crime and police budgets, we are of course this year making available £450 million more for police forces across the country. We have been protecting police budgets, which is in direct contrast to what it was suggested to me I should do by the former
shadow Home Secretary and Labour Member who is now Mayor of Manchester. He suggested 5% to 10% cuts could be made in police budgets.

The right hon. Gentleman talks about the relationship between police numbers and crime. His own shadow Police Minister has said in terms that there is not that relationship between police funding and the number of crimes that take place. Once again, it is about how we ensure we are dealing with these issues. It is about ensuring about that the police are able to deal with the challenges and crimes of today, and that is what we are doing with our serious violence strategy and our National Crime Agency—taking action across the board to ensure that our police are able to keep people safe.

Jeremy Corbyn: Our shadow Police Minister was pointing out that there has been a £2.3 billion cut in police budgets in the last Parliament, and it is the Prime Minister’s Government who are underfunding our police force: 21,000 police officers have lost their jobs since 2010, and 6,700 police community support officers lost their jobs. Meantime, violent crime is rising and, sadly, there are deaths from knife crime on the streets of most cities, particularly in London.

The economy is slowing, homelessness is rising, more children are living in poverty, the Home Office is in chaos and the Government are making a complete shambles of the Brexit negotiations. They are damaging our NHS, damaging our children’s schools and cutting police as crime soars, and they claim to be “strong and stable.” With council tax rising by more than 5% all over the country, is not the truth facing voters tomorrow that with the Tories you pay more and you get less?

The Prime Minister: More funding going into the NHS, more funding going into our schools, more funding going into social care, but if the right hon. Gentleman wants to talk about council tax and its impact on local residents, I suggest he go to Hazelbourne Road in Clapham. On one side of the road in a typical home someone will pay nearly £1,400 in council tax. Now that, of course, is in Labour-run Lambeth. On the other side of the road, someone in a typical home will pay just over £700 in council tax. That is in Conservative-run Wandsworth. No clearer example can there be that Conservative councils cost you less.

Q7. [905098] Mr Peter Bone (Wellingborough) (Con): In 331 days, 11 hours, 40 minutes and 22 seconds, the Prime Minister will be leading us out of the European Union. She will end the free movement of people, we will stop sending billions of pounds each and every year to the EU, and we will make our own laws in our own country, judged by our own judges.

My question to the Prime Minister is: in 332 days’ time, will she come to Wellingborough, where she will be carried shoulder high through the streets to the echoing of cheering crowds? I will be able to show her the site where a statue to the Brexit queen will be erected.

The Prime Minister: I am tempted—[Interruption.]

Mr Speaker: Order. I do not think we are in any danger of not hearing the question, but we must hear the answer.

The Prime Minister: My hon. Friend is absolutely right; we will be leaving the European Union. I am tempted to say to his request, how can I refuse?

Ian Blackford (Ross, Skye and Lochaber) (SNP): A young mother in Coatbridge; a grandmother who has lived here for 50 years; a former cook in this Parliament—lives turned upside down and irreparable damage to families. The Prime Minister said in this Chamber on 22 October 2013, “deport first and hear appeals later.”—[Official Report, 22 October 2013; Vol. 569, c. 158.]

Will she now withdraw those remarks?

The Prime Minister: The right hon. Gentleman is referring to changes to the legislation that later became the Immigration Act 2014. He is right; and I have apologised not just for the anxiety that has been caused to people in the Windrush generation, but to those who have found that the wrong decisions have been taken about their situation. The Windrush generation are British and they are part of us, which is why my right hon. Friend the Home Secretary is making sure that the taskforce that has been put in place is dealing with cases expeditiously and is giving people reassurance about their status here. We need to ensure that we are a welcoming country for people who want to come here and contribute, but that we take action against those who are here illegally, who break the rules and try to play the system.

Ian Blackford: Interestingly, the Prime Minister failed to remove these insulting remarks. It is easy for her to change her Secretary of State—she does it frequently—but she needs to change her policies. An estimated 120,000 undocumented children are currently entitled to UK citizenship by law, but only if they register at the cost of £1,000. This is a new Windrush generation, who will be unable to secure jobs and rent properties. These children, who are entitled to citizenship, should not be charged to exercise their rights. How can she possibly justify these policies?

The Prime Minister: Members of the public want to ensure that we have a fair immigration system and that we have rules that people abide by, and that is why we make a very clear distinction. I want people who come here legally, who do the right thing and contribute to our society, to feel that this is one of the most welcoming countries in the world. On the other side, we need to ensure that we have a system that deals with those who break the rules, play the system and try to jump ahead of others. That is what people expect from us. They want us to have a system that is fair and sets out rules, and for us to ensure that people are abiding by those rules.

Q8. [905099] Mrs Kemi Badenoch (Saffron Walden) (Con): Carver barracks in my constituency of Saffron Walden is home to the Royal Engineers’ bomb disposal unit, which carries out life-saving but very dangerous work on behalf of all of us. Will the Prime Minister tell the House what the Government’s veterans strategy is, and how it will help soldiers such as those at Carver barracks in their transition to civilian life?
The Prime Minister: We very much value the work done by the explosive ordnance disposal units of 33 and 101 Engineer Regiments. The veterans strategy recently launched by my right hon. Friend the Defence Secretary is groundbreaking. There will be a Government taskforce from Departments across the whole of Whitehall that will focus on exactly the sorts of issues that my hon. Friend raised. It will be assessing how we can help veterans to meet the financial demands of civilian life, crucially ensuring that mental and physical wellbeing is maximised and offering the best possible advice to veterans on housing. These are key issues for veterans and they are exactly what we will be focusing on in the strategy.

Q2. [905093] Martin Docherty-Hughes (West Dunbartonshire) (SNP): Evidence of the inhumane and cruel impact of the Government’s flagship universal credit policy is clear for all to see. Its impact has been devastating, and the Prime Minister can no longer bury their head in the sand as they have done with the Windrush scandal. Therefore, will the Prime Minister get a grip and take action to protect families from being forced further into crisis; or does the Prime Minister simply believe that the damage being done to the poorest and most vulnerable in our communities is a price worth paying?

The Prime Minister: We have been rolling out universal credit at a pace that ensures we have been able to hear from those who have been affected by it and to make changes—and changes have been made in the way that universal credit is introduced in this country. We have ensured that we have reduced the seven days’ waiting time, for example. But what lies behind universal credit is the belief that the important thing to help to sustain families is to get people into work. The evidence on universal credit is that it is doing just that: it is helping people into work. I would have thought that the hon. Gentleman should welcome a policy that helps people to get into the workplace.

Q9. [905100] John Stevenson (Carlisle) (Con): A couple of weeks ago, the Prime Minister indicated that she was minded to visit my constituency of Carlisle. I am delighted to inform her that from 4 June she will be able to fly into Carlisle on a commercial flight for the first time in 30 years. She will arrive in a city that is at the centre of the United Kingdom and a city recently described as “the beating heart” of the borderlands region. But if Carlisle and the borderlands are to succeed, thrive and grow, we need Government support. Can the Prime Minister confirm that she will give the borderlands such support?

The Prime Minister: First of all, I join my hon. Friend in welcoming the return of commercial flights to Carlisle airport, which will allow more people to access the borderlands region. He talks about support for the borderlands. Of course, the borderlands growth deal that my right hon. Friend the Chancellor committed to is an important part of that. I would like to congratulate my hon. Friend on his recent appointment as borderlands growth deal champion. I am sure that he will be doing all he can to ensure that that Government support is there and that the borderlands continue to thrive.

Q4. [905095] Hywel Williams (Arfon) (PC): The Prime Minister has said many, many times that she will have no hard border between Dublin and Belfast. Can she tell this House, just once, what sort of a border she would like to see between Dublin and Holyhead?

The Prime Minister: We have been very clear that we will not see a border down the Irish sea. We have been clear about that in the joint report that was issued by us and the European Commission and adopted by the European Council in December. When the European Commission made a proposal for dealing with the border between Northern Ireland and Ireland that would have meant a border down the Irish sea, I was clear that neither I nor any British Prime Minister could accept that.

Q14. [905105] Matt Warman (Boston and Skegness) (Con): With a rising budget and a new medical school for Lincolnshire, this Government have very clearly demonstrated their commitment to the NHS in Boston and Skegness, but there are short-term challenges in recruiting staff to the paediatric ward. Can my right hon. Friend reassure parents in my constituency that the decision to make a temporary closure has not yet been made, and that she will work with me to leave no stone unturned so that the trust, NHS England and NHS Improvement can work together to make sure that we recruit the doctors we need and that this Government are investing in?

The Prime Minister: I can give my hon. Friend the reassurance that he is asking for. He is right that we are supporting the NHS in Boston and Skegness. Any decision taken by the trust about the services available will of course be made to ensure that the provision of services is safe for patients. The trust is continuing to try to recruit paediatricians to support the service. It wants to continue to provide paediatric services at Boston, and every effort will be made to ensure that that can continue.

Q5. [905096] Joanna Cherry (Edinburgh South West) (SNP): The Windrush scandal is not a mistake, nor is it an aberration; it is the direct result of the Prime Minister’s policies. Unobtainable net migration targets and the “hostile environment” are the Prime Minister’s policies, so will she take this opportunity to make a public apology to people who have been—[Interruption.] Will she make a public apology to people—[Interruption.] Will she make a public apology for her policies?

The Prime Minister: The hon. and learned Lady might have listened to the answer that I gave earlier in Prime Minister’s Question Time. She might also have listened to the answers that I gave last week, and I was very clear in my apology to those of the Windrush generation who have been caught up in this issue. She talks about what has happened here. What has happened is that people who are here legally and who are British have found themselves caught up in this, and as I said, I apologise for that. What has also happened is that over the years, Labour, coalition and Conservative Governments have successively been taking action to deal with illegal immigrants, which is a different issue. This is an issue that has been dealt with by Governments of all colours.
Amber Rudd (Hastings and Rye) (Con): May I take this opportunity to congratulate my right hon. Friend the Member for Bromsgrove (Sajid Javid) on his appointment to the Home Office, which is such an important Department in terms of not only security but ensuring we have a safe and fair immigration policy? The UK threat level remains at severe. Last year we had five terrorist attacks that got through, and 36 innocent people were killed. May I invite the Prime Minister to share our admiration for the extraordinary work and bravery of our counter-terrorism police, our emergency services and our security services, for which I know we are all grateful?

The Prime Minister: First, I am pleased to have this opportunity to pay tribute to my right hon. Friend and the work she did as Home Secretary. She did valuable work across all elements of the Home Office, including on issues like modern slavery and domestic violence. The work that she did with the internet companies to keep people safe on the internet was groundbreaking. I share her support and admiration for the work that all in our emergency services, our police, our counter-terrorism police and our security and intelligence agencies do to keep us safe, and I commend her for the work she did following the terrorist attacks last year to set in train action to ensure that we continue to give those services the support they need to continue to keep us safe.

Q6. [905097] Jo Stevens (Cardiff Central) (Lab): The Prime Minister’s new Home Secretary says that her “hostile environment” “does not represent our values as a country”.—[Official Report, 30 April 2018; Vol. 640, c. 41.]

Does she agree with him?

The Prime Minister: What my right hon. Friend the Home Secretary said was that he absolutely shares the need to differentiate between legal and illegal immigrants. He also said that there was a certain phrase he was not going to use—a phrase that was first used by Labour Ministers in government. Across Government, we are clear that we are working hard to support and help those of the Windrush generation who have been caught up in this issue recently and across time, but we are also ensuring that we have a fair immigration policy which ensures that people who break the rules, play the system and try to jump ahead of others are not able to carry on being here in this country in the same way as those who play by the rules, are hard-working taxpayers and contribute to our society. That is only fair.

Mrs Helen Grant (Maidstone and The Weald) (Con): Does my right hon. Friend agree that it is only under the Conservatives that you get decision and vision? That is why Maidstone Borough Council needs to turn blue on 3 May.

The Prime Minister: My hon. Friend is absolutely right. If those who are taking part in council elections tomorrow and making those decisions look up and down the country, they will see that it is Conservative councils that support local communities, provide good local services and keep council tax low. The message is very clear: if that is what you want, vote Conservative tomorrow.

Q10. [905101] Ms Karen Buck (Westminster North) (Lab): Ministers will today discuss the two customs arrangement proposals first put forward last August. The first is untried and untested. The second relies on unproven technology. In any event, neither will be ready by the time they are needed, and both have been written off in Europe. Why, with just six months to go before a draft Brexit deal is signed off, are the Government still considering options that we all know are not feasible?

The Prime Minister: We are very clear that we are going to leave the European Union on 29 March 2019. We will be leaving the customs union, and we want to ensure that we can have an independent trade policy. We also want to ensure that we deliver—we are committed to delivering—on our commitment to having no hard border between Northern Ireland and Ireland, and that we have as frictionless trade as possible with the European Union. There are a number of ways in which that can be delivered—[Interruption.] There are a number of ways in which that can be delivered, and if the hon. Lady is so interested in the whole question of a customs border, she might like to ask her Front Benchers to come to a decision on what the Labour party policy actually is on this.

Sir William Cash (Stone) (Con): The European Scrutiny Committee, which I have the honour to chair, has invited Mr Olly Robbins to appear before the Committee on several occasions since February, but so far this has not been arranged. Will my right hon. Friend be good enough to use her charm to ensure that Mr Robbins does appear, as have already the Chancellor, the Secretary of State for Exiting the European Union and Sir Tim Barrow?

The Prime Minister: As my hon. Friend will know, it is not normally the case that any request to a civil servant to appear before a Committee is automatically accepted; decisions are taken about the levels at which civil servants should appear before Committees. As he said, he has had a number of my right hon. Friends appear before his Committee—I remember, I am not sure I can say with fond memory, the time when I appeared before the European Scrutiny Committee when I was Home Secretary—but I will certainly look at the request that he has made.

Q11. [905102] Paula Sherriff (Dewsbury) (Lab): The interim report of the Mental Health Act review stated that BAME men and women are more likely to come into contact with mental health services through the police, to be admitted to secure hospitals and to have poorer mental health outcomes over time. The Prime Minister has talked about ending the burning injustice of mental ill health, so why has her Government still not appointed an equalities champion to tackle these inequalities, nearly two years after that was recommended by the “Five Year Forward View for Mental Health”?

The Prime Minister: It was precisely to identify this sort of disparity in public services that I launched the race disparity audit when I became Prime Minister. In some areas that does make for uncomfortable reading for our society, but it is absolutely right that we have done it and it is absolutely right that we then address the issues that it has raised.
The hon. Lady talks about the interaction of people with mental health problems and the police. This is not something that I waited to do something about until the race disparity audit; I did something about it when I was Home Secretary. We have significantly reduced the number of people with mental health problems who are being taken to a cell in a police station as a place of refuge, and we have ensured that there is health support available for the police. As a result, people who are in a mental health crisis are getting better treatment than they did previously. There is more to do, but we have already started to take action.

Simon Hoare (North Dorset) (Con): The hopes of the 464 survivors of thalidomide in the United Kingdom, the Thalidomide Trust and the all-party group on thalidomide, which I chair, were significantly depressed at the weekend when we saw the media coverage, particularly in The Sunday Times, suggesting that the German Government are seeking to resile from their verbal pledge to make good the promise to compensate the UK survivors whose mothers were prescribed and took the German-manufactured drug thalidomide. Their lives are shortening, and they need support. Will my right hon. Friend use her good offices to augment the work of the Foreign Office in making the case for UK thalidomide survivors to the German Government so that they can finally get the justice they have for too long been denied?

The Prime Minister: I fully recognise why the survivors of thalidomide were so concerned at the reports that they saw because, although back in 2012 the Department of Health announced an £80 million grant for thalidomide survivors, they of course have been able and are able to apply to the German Contergan Foundation for Disabled Persons for funds. In relation to the particular point my hon. Friend has raised, I know that my right hon. Friend the Minister for Europe and the Americas met representatives of the Thalidomide Trust towards the end of last year to discuss this. The Foreign and Commonwealth Office is remaining in contact with the trust, and it is pursuing its discussions with the German Government on this point.

Q12. [005103] Helen Jones (Warrington North) (Lab): When one of my constituents had a heart attack, he waited an hour and 20 minutes for a paramedic and two hours for an ambulance, because they were having to queue up at local hospitals. He never made it back home. Faced with such a human tragedy, does the Prime Minister feel any pang of conscience for the shambles she has created in our NHS?

The Prime Minister: The hon. Lady sets out what is obviously a very sad and tragic case in relation to her constituent. I am happy to look at the background of what led to that particular outcome. We all want to make sure that patients are able to be treated in the NHS when they need that treatment, and get the appropriate treatment. That is why we have been putting extra money into the NHS, but, as I say, it is a very sad case that she has outlined, and I am happy to look at the details of it.

Dame Cheryl Gillan (Chesham and Amersham) (Con): As voters go to the polls tomorrow, could the Prime Minister confirm that a green future is at the heart of our local government policies? Would she agree to meet me and others to look at our aspiration for the Chilterns area of outstanding natural beauty to become a national park so that we can increase the opportunities afforded for open-air recreation on London's doorstep?

The Prime Minister: We are protecting our natural environment. We want to leave a cleaner, greener Britain for our children. That is not just something that Conservatives in national Government want to do; it is what Conservatives in local government want to do as well. That is why we launched our 25-year environment plan. I know the beauty of the Chilterns; I enjoy walking in the Chilterns, and I am happy to meet my right hon. Friend and others to discuss her proposal.

Q13. [005104] Chris Stephens (Glasgow South West) (SNP): Can the Prime Minister confirm that every UK Government Department has budgeted for a derisory 1% pay rise for all its civil servants? Is it fair that workers who collect tax, and who try to make a broken social security system and a broken immigration system work, are getting a real-terms pay cut and are still subjected to a public sector pay cap?

The Prime Minister: As the hon. Gentleman knows, we have been very clear that the blanket 1% cap that has taken place over recent years on public sector pay is not an approach that we are taking in the future. Obviously, Departments are funded at a certain level, and it is for Departments then to come forward with their proposals in relation to pay within their Department.

Mr Marcus Jones (Nuneaton) (Con): Today, council tax, on average, costs less in real terms than it did in 2010. Under 13 years of Labour in government, council tax doubled. Will my right hon. Friend confirm that the council tax referendum principles that this Government have put in place have been a resounding success?

The Prime Minister: My hon. Friend is absolutely right about the facts that he has set out in relation to council tax. That is a result of decisions that have been taken by the Government to have that council tax referendum in place and of Conservative councils actually making decisions to freeze or to lower council tax, or to ensure that it is kept lower than in Labour councils. Conservative councils, on average, cost a typical family £100 less in council tax than councils run by other parties. That is important, and the Government have played their part with the council tax referendum.

Q15. [005106] Chris Law (Dundee West) (SNP): Since first being elected in 2015, I have consistently campaigned to protect hundreds of jobs at risk in Dundee from being lost through the shoddy restructuring of Her Majesty's Revenue and Customs. I was finally given a written guarantee that these jobs would be transferred to the Department for Work and Pensions. However, I have since learned, without explanation, that this is no longer to be the case. Will the Prime Minister personally intervene to reverse this reckless U-turn and betray by taking charge to save each and every one of these 479 highly skilled jobs, without which there will be a devastating impact on the staff, their families and my city?

The Prime Minister: The hon. Gentleman has raised an issue I have not seen the details of, but I will ensure that my right hon. Friends the Chancellor of the Exchequer and the Secretary of State for Work and Pensions look at the issue he has raised.
Nicky Morgan (Loughborough) (Con): This afternoon, the Treasury Committee will take evidence from TSB about the recent IT failures, which have left thousands of customers unable to access their accounts and unable to pay their bills, with some very severe consequences. Does my right hon. Friend agree that a robust and reliable banking IT infrastructure is essential in the modern economy? These failures are unfair to businesses that cannot pay in their takings, they are unfair to vulnerable customers, and they are particularly unfair when many banks are still closing branches.

The Prime Minister: I agree that a robust, safe and reliable IT system is essential to underpinning today’s world of modern banking. I am sure that my right hon. Friend and the Treasury Committee will ensure, through the evidence they take, that they get to the bottom of what happened in TSB.

Gloria De Piero (Ashfield) (Lab): Last Saturday night, an 83-year-old woman had a fall at home and was bleeding from a head wound. She waited for an ambulance for nearly three hours. Will the Prime Minister apologise to my constituent and promise the rest of the country that no one else’s elderly mum will suffer like that?

The Prime Minister: If the hon. Lady would like to provide more expansive details, I know the Secretary of State for Health will look very closely into the case that she identifies. I am sorry to hear of the circumstances of her constituent, but we will look into the case.

Bob Blackman (Harrow East) (Con): Last night at 9.08 pm, two men were shot outside Queensbury station on the edge of my constituency. One is dead and the other is in a critical condition. Queensbury station is an important transport hub for the people of Harrow East and Brent North. Will my right hon. Friend join me in thanking the police for their prompt action in securing the area and for the messages of reassurance they are giving to the community today? Will she also take every necessary step to remove guns and knives from society to prevent reoccurrence?

The Prime Minister: I recognise the importance that is attached to Queensbury station, and I join my hon. Friend in commending the actions of the police and emergency services in response to this and other such incidents. He is right on the importance of dealing with offensive weapons, which is why we announced, under my right hon. Friend the previous Home Secretary and taken forward by the current Home Secretary, plans to introduce an offensive weapons Bill. It is why we launched the serious violence strategy and the serious violence taskforce, which brings Ministers and representatives from across this House together with police and others to deal with this issue. It has met for the first time and it will continue to meet to address this important issue.

David Morris (Morecambe and Lunesdale) (Con): On a point of order, Mr Speaker.

Mr Speaker: Order. Points of order come after statements, as I think the hon. Gentleman knows. He has been in the House for quite a while now. We look forward to hearing from him later.
Breast Cancer Screening

12.48 pm

The Secretary of State for Health and Social Care (Mr Jeremy Hunt): I wish to inform the House of a serious failure that has come to light in the national breast screening programme in England.

The NHS breast screening programme is overseen by Public Health England and is one of the most comprehensive in the world. It screens 2 million people every year, with women between the ages of 50 and 70 receiving a screen every three years up to their 71st birthday. However, earlier this year PHE analysis of trial data from the service found that there was a computer algorithm failure dating back to 2009. The latest estimates I have received from PHE is that, as a result, between 2009 and the start of 2018, an estimated 450,000 women aged between 68 and 71 were not invited to their final breast screening.

At this stage, it is unclear whether any delay in diagnosis will have resulted in any avoidable harm or death, and that is one of the reasons I am ordering an independent review to establish the clinical impact. Our current best estimate—which comes with caveats, as it is based on statistical modelling rather than on patient reviews, and because there is currently no clinical consensus about the benefits of screening for this age group—is that there may be between 135 and 270 women who have had their lives shortened as a result. I am advised that it is unlikely to be more than this range and may be considerably less. However, tragically, there are likely to be some people in this group who would have been alive today if the failure had not happened.

The issue came to light because an upgrade to the breast screening invitation IT system provided improved data to local services on the actual ages of the women receiving screening invitations. This highlighted that some women on the AgeX trial, set up to examine whether women up to the age of 73 could benefit from screening, were not receiving an invitation to their final screen as a 70-year-old. Further analysis of the data quantified the problem and has found a number of linked causes, including issues with the system’s IT and how age parameters are programmed into it. The investigation also found variations in how local services send out invitations to women in different parts of the country.

The existence of a potential issue was brought to the attention of the Department of Health and Social Care by Public Health England in January, although at that stage, its advice was that the risk to patients was limited. Following that, an urgent clinical evaluation took place to determine the extent of harm and the remedial measures necessary. Public Health England escalated the matter to Ministers in March, with clear clinical advice that the matter should not be made public. This was to ensure that a plan could be put in place that ensured any remedies did not overwhelm the existing screening programme and was able to offer proper support for affected patients.

I am now taking the earliest opportunity to update the House on all the remedial measures that have been put in place, which are as follows. First, urgent remedial work to stop the failure continuing has now been completed according to the chief executive of Public Health England. This was finished by 1 April and PHE is clear that the issue is not now affecting any women going forward.

Of the estimated 450,000 women who missed invitations to a scan, 309,000 are estimated to still be alive. Our intention is to contact all those living within the United Kingdom who are registered with a GP before the end of May, with the first 65,000 letters going out this week. Following independent expert clinical advice, the letters will inform all those under 72 that they will automatically be sent an invitation to a catch-up screening. Those aged 72 and over will be given access to a helpline through which they can get clinical advice to help them decide whether a screening is appropriate for their particular situation. This is because for older women, there is a significant risk that screening will pick up non-threatening cancers that may lead to unnecessary and harmful tests and treatment. However, this is an individual choice and in all cases, the wishes of the patients affected will be followed. By sending all the letters to UK residents registered with a GP by the end of May, we hope to reassure anyone who does not receive a letter this month that they are not likely to have been affected.

It is a major priority to do our very best to make sure that the additional scans do not cause any delays in the regular breast screening programme for those under 71, so NHS England has taken major steps to expand the capacity of screening services, and has today confirmed that all women affected who wish to be screened will receive an appointment within the next six months. Of course, we intend the vast majority to be much sooner than that.

We have held helpful discussions with the devolved Administrations to alert them to the issue. Scotland uses a different IT system, and while the systems in Wales and Northern Ireland are similar, neither believe they are affected. However, we are discussing with each of them the best way to reach women who have moved to another part of the UK during this period. This is obviously more complicated, but we are confident that those affected will still be contacted by the end of May.

In addition, and as soon as possible, we will make our best endeavours to contact the appropriate next of kin of those we believe missed a scan and have subsequently died of breast cancer. As well as apologising to the families affected, we would wish to offer any further advice they might find helpful, including the process by which we can establish whether the missed scan is a likely cause of death and compensation is therefore payable. We recognise that this will be incredibly distressing for some families, and we will approach the issue as sensitively as possible.

Irrespective of when the incident started, the fact is that for many years, oversight of our screening programme has not been good enough. Many families will be deeply disturbed by these revelations, not least because there will be some people who receive a letter having had a recent diagnosis of breast cancer. We must also recognise that there may be some who receive a letter having had a recent terminal diagnosis. For them and others, it is incredibly upsetting to know that you did not receive an invitation for screening at the correct time, and totally devastating to hear you may have lost or be about to lose a loved one because of administrative incompetence. So on behalf of the Government, Public Health England
and the NHS, I apologise wholeheartedly and unreservedly for the suffering caused. But words alone are not enough. We also need to get to the bottom of precisely how many people were affected, why it actually happened and most importantly, how we can prevent it ever happening again.

Many in this House will also have legitimate questions that need answering: why did the algorithm failure occur in the first place, and how can we guarantee it does not happen again? Why did quality assurance processes not pick up the problem over a decade or more? Were there any warnings, written or otherwise, which should have been heeded earlier? Was the issue escalated to Ministers at the appropriate time? What are the broader patient safety lessons for screening IT systems?

I am therefore commissioning an independent review of the NHS breast screening programme to look at these and other issues, including its processes, IT systems and further changes and improvements that can be made to the system to minimise the risk of any repetition. The review will be chaired by Lynda Thomas, chief executive of Macmillan Cancer Support, and Professor Martin Gore, consultant medical oncologist and professor of cancer medicine at the Royal Marsden, and is expected to report in six months.

The NHS has made huge progress under Governments of both sides of this House on improving cancer survival rates, which are now at their highest ever. Seven thousand people are alive today who would not have been if mortality rates had remained unchanged from 2010, but this progress makes system failures even more heartbreaking when they happen. Today, everyone in this House will be thinking of families up and down the country who are worried that they may have been affected by this failure. We cannot give all the answers today, but we can commit to take all the necessary steps to give people the information that they need as quickly as possible. Most of all, we want to be able to promise that this will not happen again, so today, the whole House will be united in our resolve to be transparent about what went wrong and to take the necessary actions to learn from the mistakes made. I commend this statement to the House.

12.58 pm

Jonathan Ashworth (Leicester South) (Lab/Co-op): I thank the Secretary of State for advance sight of his statement and for his personal courtesy in directly briefing me as well. The thoughts of the whole House are with those whose screening was missed and who sadly lost their lives from breast cancer, or who have subsequently developed cancer. Anyone who has had a loved one taken by breast cancer, or indeed any cancer, will know of the great pain and anguish of that loss. I understand that the Secretary of State has referred to estimates, but when the facts are established, will he assure us that each and every case will be looked into sensitively and in a timely manner? Our thoughts also turn to the 450,000 women who were not offered the screening that they should have had, so I welcome the Secretary of State’s commitment to contact the 309,000 women who are estimated to be still alive.

Early detection and treatment are vital to reducing breast cancer mortality rates, which was why the AgeX pilots were established in 2009 and rolled out nationally from late 2010, when the Government expanded the screening programme. Given the problems that Public Health England has identified with its randomisation algorithm for those trials, will the Secretary of State tell us whether any evaluations and assessments of those pilots had been done by the Department before the national roll-out of the programme?

I welcome the Secretary of State’s candour in questioning why this problem was not picked up—eight years is a long time for an error of this magnitude to go undetected. Did the Department receive any warnings in that time? Is there any record of how many women raised concerns that they had not received the appropriate screening? Were there any missed opportunities to correct this mistake? He said graciously that oversight of the screening programme was not good enough. How does he intend to improve that oversight? What other trials are in place across the NHS and is he satisfied with their oversight?

We welcome the establishment of the national inquiry. Will it be hosted and staffed by the Department of Health or another Department? In the interests of transparency, will the Secretary of State place in the Library the Public Health England analysis from this year that identified the problem with the algorithm? Although the parallels are not exact, where the NHS offers bowel cancer screenings for women between the ages of 60 and 74 and cervical cancer screenings for women up to 64, what assurances can he give that the systems supporting those services are running properly, and what checks are being carried out to make sure that nobody misses out on screenings for other cancers?

The Secretary of State says that NHS England will take steps to expand the capacity of screening services. Will he say a little more about that? What extra resources will be made available to help the NHS provide the extra screening now needed? He will know that the NHS faces huge workforce pressures—according to Macmillan, there are more than 400 vacancies in cancer nursing, the Royal College of Radiologists has found that 25% of NHS breast screening programme units are understaffed, and there are vacancies for radiographers too. Will he assure us that the NHS will have the staff to carry out this extra work, and may I gently suggest that, if it needs extra international cancer staff, he ensures that the Home Office does not block their visas?

More broadly, does the Secretary of State share my concerns that screening rates are falling generally? The proportion of women aged 50 to 70 taking up routine breast screening invitations fell to 71.1% last year—the lowest rate in the last decade. There is also a wide regional variation in screening rates. The number of women attending breast screening in England is as low as 55.4% in some areas, and, as the all-party group on breast cancer found, there are stark inequalities in NHS services in England, with women in the worst-affected areas more than twice as likely to die from breast cancer under the age of 75. Beyond the problems identified today, what more are the Government doing to make sure that screening rates rise again so that cancer care for patients is the best it can be?

Finally, many of our constituents over whom breast cancer has cast a shadow will feel anxious and worried tonight. Members on both sides of the House want to see cancer prevented and those who have it fully supported. Transparency and clarity are vital. Will the Secretary
of State undertake to keep the House fully informed of developments to offer our constituents the peace of mind they deserve?

Mr Hunt: I thank the hon. Gentleman for his constructive tone, and I want to reassure him that each and every case will be looked at in detail. The sad truth is that we cannot establish whether not being invited to a screen might have been critical for someone without looking at their individual case notes, and in some cases, sadly, establishing a link will mean looking at the medical case notes of someone who has died.

It is important to explain that the reason for these estimates, which are much broader than we would like, is that there is no clinical consensus about the efficacy of breast screening for older women. As I understand it, that is because the incidences of cancers among older women are higher, but a higher proportion of them are not malignant or life-threatening, which makes it particularly difficult. It is also the case that breast cancer treatment has improved dramatically in recent years and so it is less important than it was to pick up breast cancer early. None the less, we believe it will have made a difference to some women, which is why it is such a serious issue.

The evaluations of the AgeX trial, which brought this to light at the start of the year, have been continued by Oxford University throughout the trial period. I am not aware of any evaluations shared with the Department that could have brought this problem to light, but obviously the inquiry will look into that. We need to find ways to improve oversight, and modern IT systems can greatly improve safety and reliability—in fact it was during the upgrading of the IT system that this problem was brought to light.

I will share with the hon. Gentleman the advice the Department received from Public Health England in January, which was the first time we were alerted to the issue, and we will certainly provide any extra resources the NHS needs to undertake additional cancer screening. One of our biggest priorities is that women between the ages of 50 and 70, when the screens are of their highest clinical value, do not find their regular screens delayed by the extra screening we do to put this problem right. He is right that one thing that has come to light is the regional variation in how the programme is operated. It is also the case that breast cancer treatment has improved dramatically in recent years and so it is less important than it was to pick up breast cancer early. None the less, we believe it will have made a difference to some women, which is why it is such a serious issue.

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Dr Sarah Wollaston (Totnes) (Con): I thank the Secretary of State for the commitments and actions he has set out. Colleagues across the House will be thinking of the hundreds of thousands of women not called for their final screening test. They now need consistent, high-quality, evidence-based guidance so that they can make an informed choice about whether to take up the offer of screening. There is much material available setting out pictorially and clearly how they can weigh up the risks and benefits. Will he reassure the House not only that a helpline will be in place but that it will be backed up with high-quality material available directly to patients and their GPs, many of whom will be directly counselling women following this news?

Mr Hunt: Yes, and I can reassure my hon. Friend that GPs will be briefed and that people will be referred for additional support to clinically trained staff at Macmillan Cancer Support and Breast Cancer Care. We have to be transparent with patients, however, about the absence of a clear clinical consensus on the efficacy of scanning for women in their 70s. The fairest thing is to explain that different people have different views and allow them to come to an individual choice, and that is what we are doing. It will of course cause considerable distress to those given that dilemma, but if anyone wants a scan, we will do that scan.

Dr Philippa Whitford (Central Ayrshire) (SNP): I thank the Secretary of State for my advance briefing, but, as a breast surgeon and co-chair of the all-party group on breast cancer, I gently take issue with his comment that we do not need to diagnose breast cancer early because of the changes in treatment. I would not like that message to stand: diagnosing early is still crucial.

Obviously this is horrendous for the women involved, but it will also create anxiety for women who are not aware whether they are involved and who might not have been part of the trial. Reassuring them will be a challenge. I welcome the independent review into how it happened and how it went so long without being picked up, and I am interested to know what will happen with the trial now—the loss of almost 500,000 women from it might have a major impact.

Given the normal pick-up rate of breast screening, approximately 2,500 cancers would have been picked up across England in the last round. As the Secretary of State says, this issue did not apply in Scotland, but some of the women affected might have moved and settled in Scotland, so when did he inform the Scottish Government?

The Secretary of State said that the Department knew in January. As far as I can establish, officers in Scotland were informed of a minor issue in March, were told only last week that it was actually more major, and were not told that it might affect women who now live in Scotland. There has clearly been preparation and talk about funding in England, but how many women who live in Scotland have been identified, and what efforts have been made to track them down? What preparations for funding or the expansion of services have been made for Scotland and, indeed, for the other devolved nations?

As was mentioned by the hon. Member for Leicester South (Jonathan Ashworth), radiology, and particularly breast radiology, is a huge shortage specialty. What funds will be provided to ensure that it can be delivered without messing up the normal system?

Will women who do not receive a letter in the next few weeks be able to telephone, or can the Secretary of State really guarantee that if they have not heard by the end of the month, they are clear? As a doctor, I find that a bit scary.

Mr Hunt: The hon. Lady has asked some important questions. I am sorry if what I said was not clear, but I do not think I said that there was no need to diagnose breast cancer early. It is obviously incredibly important for cancer to be diagnosed as early as possible. What I said was that I had been advised that in many cases, because of advances in breast cancer treatment, it would not make a difference...
to the particular women affected in this case. I fully accept that in some cases it will, and of course it is very important to diagnose all cancers as early as possible.

I will find out from Oxford University the dates on which it expects to report the full outcome of the AgeX trial. Obviously we all want to hear the results as soon as possible. I will also inform the hon. Lady of the exact date on which Scottish Government officials were informed. Let me reassure her that if there are any additional costs to the Scottish health system, it will of course be recompensed.

We do not think that major pressures will be created in the Scottish screening programme, and we are confident that we will be able to contact everyone in the UK who is registered with a GP—whether in Scotland, Wales, Northern Ireland or England—by the end of May. We have had very productive discussions with Scottish officials about the IT exchange that will be necessary to ensure that women living in Scotland also receive their letters by the end of May. We cannot guarantee that every single one of them will have been contacted by then—some will have moved abroad, and some will not be registered with a GP for whatever reason—but we think that we can contact the vast majority, and the helpline will be open for anyone to call if they think they may have been affected.

Mr Philip Dunne (Ludlow) (Con): I think that Members on both sides of the House have appreciated the measured way in which my right hon. Friend has come to the House and revealed detailed commitments to helping the women who have suffered as a result of this terrible, unfortunate IT event. I also think that the measured response from the hon. Member for Leicester South (Jonathan Ashworth) properly reflected the concern that everyone shares.

My right hon. Friend referred to additional screening capacity to ensure that there is no impact on other, younger women. What undertakings can he give to any women who have been affected, and who find that they are suffering from a malignant growth in their breast, that they will be able to receive the appropriate treatment as rapidly as possible?

Mr Hunt: I thank my hon. Friend. Friend for the work that he did on cancer when he was working at the Department of Health, and for his broader work in supporting the hospital sector. He is absolutely right: additional people will come forward for treatment, so one of the other matters that we have been looking into is our treatment capacity. We certainly intend to ensure that people are treated within the normal short period if a cancer is detected, and the first step in that process is to ensure that everyone has a scan in the next six months. During that period, we will make certain that they are able to look forward to the same rapid treatment that all other people whose cancers are detected can be confident of receiving.

Dr Paul Williams (Stockton South) (Lab): We have an ethical duty to get screening right, because we are inviting well people into our health service and offering them an intervention. May I ask the Secretary of State whether the uptake of screening by 68 to 71-year-olds during the period concerned was any lower than expected? If it was less than expected, why was that not properly analysed?

Mr Hunt: I do not know the answer to that question, but I will look into it. If we find that the uptake was lower than expected in that age group, it will be a very important clue about something that may have gone wrong, and I am sure that the review panel will want to examine it. The overall uptake rate is about 80%, but I agree with the hon. Gentleman that we should look into what the rates were in specific age cohorts.

Mrs Maria Miller (Basingstoke) (Con): I thank the Secretary of State for his measured statement, and for all he is doing to ensure that the women affected are given the treatment and support that they need. I particularly welcome his independent review of the NHS screening programme. Will he also be looking at quality assurance programmes more widely within the NHS in relation to screening programmes? It is deeply worrying that the NHS did not identify this error for more than a decade, and there may be a need to review those programmes.

Mr Hunt: I am afraid that my right hon. Friend is absolutely right. The truth is that we do have a quality assurance programme, and it failed to pick up this problem for far too long. We need to understand why that happened. We think that a single IT mistake was made at the very start of the programme, and we understand that sometimes such mistakes are devilishly difficult to identify. None the less, as was suggested by the hon. Member for Stockton South (Dr Williams), there must have been clues that could have been picked up—or so one would think—and we need to get to the bottom of that.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): I think that anyone who listened to the statement will be devastated and appalled to learn about this fatal failure, especially given that the UK’s breast cancer survival rate is below the EU average. The Secretary of State talked about the advice line that might be available to people who had been affected, but has he given any consideration to any emotional or mental health support that should be extended to those people and their families?

Mr Hunt: We are indeed talking to the charities operating in this sector about how we can best provide all kinds of support, including mental health support, as well as clinical guidance. We often talk in the House about the challenges facing the NHS, but it is important to note that breast cancer is an area in which survival rates have been improving, and have actually been catching up with those in other European countries. The NHS deserves great credit for that, despite today’s very serious failing.

Dr Andrew Murrison (South West Wiltshire) (Con): I commend my right hon. Friend for the way in which he brought this very bad news to the House, and the hon. Member for Leicester South (Jonathan Ashworth) for the way in which he responded to it.

As my right hon. Friend will know, breast cancer is not just about survival nowadays; it is also about quality of life after treatment. Will his contact with those who have been affected extend to those who have been
treated, but who may have had to be treated in a more radical way than might have been the case had their cancers been picked up earlier?

Mr Hunt: Absolutely. As my hon. Friend will know from his own medical background, it is impossible to know that until there is a detailed case note review, but we will certainly undertake that review for anyone who thinks they may have been affected.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I thank my right hon. Friend for his statement and for the work he is doing to ensure that women who are affected are supported and treated promptly, but what is he doing to ensure that people who are due for cervical and other NHS screening programmes are being properly called, and can he tell women who are affected—and, no doubt, very worried today—what they should do now? Whom should they call, should they be waiting for a letter, and how soon can they expect a scan if they wish to have one?

Mr Hunt: According to the advice that I have received so far, there is no read-across to other screening programmes, but obviously the independent review panel will look into that as it seeks to examine all aspects of the issue. We have made the commitment today that we will invite for scans all those who either should be scanned or should consider whether they wish to have a scan, and will offer them a date before the end of October, although we hope that in the vast majority of cases it will be much sooner than that.

Ann Clwyd (Cynon Valley) (Lab): What conversations has the Secretary of State had with the Welsh Secretary? Having long since passed the ages he mentioned, I certainly was never invited for a screening; I had to ask for one, and I eventually got the screening in England.

Mr Hunt: We have not had conversations at ministerial level, but we have had conversations at official level. The Welsh Administration do not believe this problem has affected them, even though Wales was using the same IT system we were using in England. Our concern is about people living in England who are registered with a Welsh GP or people living in Wales registered with an English GP. That is why we are having constructive discussions to share IT information and make sure everyone in England or Wales registered with a GP will get that letter.

To respond to the earlier question about what people should do now, anyone is free to call the helpline number, which will be made public today, but we are hoping to get the letters out as quickly as possible over the next four weeks, during the month of May, so that everyone can be pretty confident that they are okay if they have not received one of those letters.

María Caulfield (Lewes) (Con): I welcome the Secretary of State’s announcement today that there will be an independent review; it is important that women have confidence in the screening programme. As someone who worked in breast cancer for over 10 years before being elected, I gently say to women that the screening mammogram is just one tool in the early detection of breast cancer and that if they notice a change in the interval of three years between mammograms they must seek medical advice. Also, not all mammograms pick up breast cancers, so they must not just rely on screening mammograms.

Mr Hunt: I thank my hon. Friend for her excellent advice, which gives me the opportunity to repeat that the advice for women about looking after their breasts and making sure they are alert to potential breast cancer remains unchanged. All women should take great care over this and should always come forward to see their GP or local cancer service if they have any concerns or doubts.

Lisa Nandy (Wigan) (Lab): I thank the Secretary of State for his statement. There is no other way to describe what has happened than utterly, utterly heart-breaking, and it is hard to imagine what some of the worst affected families will be going through over the next few weeks.

I am grateful to the Secretary of State for his assurance that capacity will be expanded to ensure that women can now access screening, but unless he puts further resources into the system, other people will go to the back of the queue as a consequence. In my region of the north-west, one in five posts are currently vacant, and for far too many women in this country where they live currently determines whether they live or die. So will the Secretary of State put in the additional resources needed to make sure all women can get the screening they need when they need it?

Mr Hunt: I thank the hon. Lady for her comments. We have many other occasions to have a broader discussion about resourcing of the NHS, but I recognise what she says: in the specific situation we are in now, with the people who will need additional scans and additional treatments over and above what the NHS would have otherwise done, we will need to find additional resources to make sure others are not disadvantaged.

Mr Mark Harper (Forest of Dean) (Con): May I add my words of support to the Secretary of State for the way he has approached this issue, and to Opposition Members for their approach too?

On the scope of the independent review, will it look at other screening programmes? It might be the case that this particular issue is not replicated, but I think people will want assurances about other screening programmes. Also, as the NHS looks to use IT as a powerful way to combat illness and disease, will the Secretary of State make sure that appropriate checks are in place so that there are proper assurances in the system and these kinds of problems do not arise in the future?

Mr Hunt: My right hon. Friend is absolutely right, and I assure him that the review being done by Lynda Thomas, one of the most senior cancer campaigners in the country, and Professor Gore, one of the most senior oncologists in the country, will look at what lessons can be learned for the entire cancer programme, and not just at the specific issue of why this particular IT problem occurred.

Diana Johnson (Kingston upon Hull North) (Lab): The statement the Secretary of State has made today is truly shocking, and many women and their families will be very worried this afternoon. The Secretary of State...
said that it is estimated that 309,000 women in this group are still alive and that the first 65,000 letters are going out this week. Why are the letters not going out this afternoon to all 309,000 women? Why are we having to wait until the end of May to put at rest the minds of these women and their families?

Mr Hunt: That is a reasonable question, and I assure the hon. Lady that we are sending these letters out as quickly as we possibly can, but we felt that, even though we are not able to send them all out this afternoon—for example, because we have to reconcile with the clinical databases in Scotland, Wales and Northern Ireland for women who have moved to those areas and that is going to take place later this month—it was important to come to the House as soon as possible, without delay, to inform Members that this was happening. There will be a period of a few weeks during which people will have to wait to see if they get one of the letters, and we fully appreciate that that will cause a lot of worry to the women involved.

Sir Hugo Swire (East Devon) (Con): This is a good time to pay tribute to all the excellent cancer support charities, counselling services, Maggie’s centres and so forth up and down the country. I am reassured that the Secretary of State has said he will be working with them, but will he commit this afternoon to contacting all these charities proactively and providing them with the resources they need to meet what will obviously be an increased demand over the coming weeks and months?

Mr Hunt: That is a good point, and we will get in touch with all the cancer charities that we think are going to be affected by what has happened and make sure they have the support they need.

Derek Twigg (Halton) (Lab): When did the Secretary of State or the Minister with direct responsibility for screening last ask their officials about the accuracy of the screening programme and the robustness of the checks and assurances in place to ensure it was working properly and efficiently? When, before January this year, did he last ask his officials that?

Mr Hunt: I will have to get back to the hon. Gentleman with a detailed answer to that question. Ministers were informed of this issue in March, and we are responsible, as Ministers, for the effective functioning of that system—in the way all Ministers have responsibility for their various areas—so one of the questions we need to ask is whether the right escalation procedures and checks and balances were in place so that Ministers could be informed if there was likely to be a problem.

Dame Caroline Spelman (Meriden) (Con): My constituency has many breast cancer sufferers who were victims of the rogue surgeon Mr Paterson, so I thank my right hon. Friend for setting up an inquiry chaired by the Bishop of Norwich, in which victims feel properly listened to, and, most importantly, are being compensated. Will any of the women caught up in this current situation who might have been harmed be eligible for compensation?

Mr Hunt: That is a reasonable question, and I assure my right hon. Friend for setting up an inquiry chaired by the Bishop of Norwich, in which victims feel properly listened to, and, most importantly, are being compensated. by the Bishop of Norwich, in which victims feel properly listened to, and, most importantly, are being compensated.

Nic Dakin (Scunthorpe) (Lab): Breast cancer screening makes a real difference to outcomes for breast cancer patients by diagnosing early, so I applaud the Secretary of State for saying he will look at ways of improving performance in this area across the country, but what is he going to do to try to make women who have moved out of the UK who might be affected aware of what has happened?

Mr Hunt: We will look at whether we are able to get in contact with people and will get in contact whenever we can, but there is of course a helpline through which anyone can contact us. It is also important to say that, according to the advice I have received, missing the final screening will in many cases not make a difference to a patient’s cancer or the treatment they receive, but we will do everything we can to support everyone who thinks they might have been affected.

Dr Julian Lewis (New Forest East) (Con): While it will be for the review to investigate and report on why the fault with the algorithm was not discovered earlier, can the Secretary of State throw any more light on the circumstances in which it eventually came to be discovered? He said, for example, that it was in the course of a computer upgrade. Obviously, the circumstances that led to its discovery could be a pointer towards greater safeguards for the future.

Mr Hunt: That is a very good point. The original issue—or the original potential issue—was identified by people working on the AgeX trial for Oxford University, who then brought it to the attention of Public Health England in early January. One of the issues seems to have been the confusion about whether the scans stopped when someone turned 70 or whether they should carry on until their 71st birthday. That is why we think the original coding error happened, but obviously this is a matter for the review, and we need to learn everything from it.

Lady Hermon (North Down) (Ind): This is a hugely upsetting and serious issue, and I commend the Secretary of State for the great compassion and sensitivity with which he has delivered this very bad news for women throughout the United Kingdom. He mentioned the fact that the Northern Ireland breast screening scheme was slightly different, but he will appreciate that he absolutely must say more to reassure women in Northern Ireland at this time because we have no Health Minister. May we please have more reassurance for women in Northern Ireland?

Mr Hunt: I thank the hon. Lady for making that fair and important point. I will make a special effort in the case of Northern Ireland to understand what the situation is and to ensure that it is publicised to the people of Northern Ireland. Absent politicians are able to do that.

Alberto Costa (South Leicestershire) (Con): I also thank the Secretary of State for his measured and sensitive tone in delivering this afternoon’s statement. He mentioned that the figures of 450,000 and 309,000
were estimates. What is not an estimate, however, is that 65,000 letters will be going out at the end of this month. Will he assure us that his team in the Department will write to Members of Parliament to indicate the number of women affected in each constituency, so that we can prepare for the inevitable contacts that constituents will make with us?

Mr Hunt: I am very happy to make that commitment.

Liz McInnes (Heywood and Middleton) (Lab): I hope that the independent review will investigate this, but is the Secretary of State aware of any instances of GPs inquiring why patients who should have had a final breast screen were not invited to have one?

Mr Hunt: That is a very good question. I am not aware of any such instances, but that is exactly what we want to look at in the review. It does seem strange that people who were expecting to be invited did not come forward, and that their not receiving an invitation did not set any hares running. That is one of the things that we need to look at.

Sir Desmond Swayne (New Forest West) (Con): How many cancers are detected for every 10,000 screenings, and what is the clinical consensus on the effectiveness of that?

Mr Hunt: My right hon. Friend is testing my clinical knowledge here; there will be other people in the Chamber who are better able to answer that question. I am ready to be corrected by eminent experts on this, but my understanding is that, in relation to women in their 70s, for every 1,000 women there are around 12 cancers, and of those 12 cancers, around three are potentially life-threatening.

Stephen Lloyd (Eastbourne) (LD): Let us be clear that this is an utterly desperate situation. We know that some women may well have died who might not have done had they been identified. However, I would like to pay tribute to the Secretary of State’s statement. It was transparent, it ’fessed up and it made clear what the Department of Health and Social Care will be doing to remedy the situation. I appreciate that. What will the Department do to raise awareness of breast cancer screening among women who are not currently registered with a GP?

Mr Hunt: That is an important question. We have the Be Clear on Cancer campaign, which is a national advertising campaign but, as my hon. Friend the Member for Lewes (Maria Caulfield) said, it is important for people to recognise that, if we are going to protect them from cancer, they will have to take an active and proactive role in detecting any cancers they might have. Important though the screening service might be, they cannot rely on the screening service, because their own experience of how their own body is functioning is the most important detection method of all.

Andrew Jones (Harrogate and Knaresborough) (Con): I thank my right hon. Friend for his statement, and for the urgency and sensitivity with which he is treating this issue. Women all over the country will be very anxious at hearing this news. Will he guarantee that all women who did not get invited for their scan will now be guaranteed their screening?

Mr Hunt: We are absolutely guaranteeing that all women affected who are still alive will be invited to have a screening if they want it. Only those under 72 will automatically be sent a date and time for their screening. Those over 72 will be invited to talk to the helpline so that they can form a judgment as to whether a screening is appropriate, but anyone who wants one will get one.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I should like to thank the Secretary of State for his comprehensive response. Can he advise me how many women who have moved to Scotland might be affected? If not, will he work double time to ensure that those who have been affected and who have moved to Scotland will get their letters timeously within the correct period?

Mr Hunt: I believe that the IT work, which is a collaboration between the Scottish NHS and the English NHS, will be completed in the week of 15 May. That is why we are confident that we will be able to get the letters out to people registered with Scottish GPs who have moved from England by the end of May, which is the same timescale as for getting the letters out to people living in England. We will then know that number, and I will of course let the hon. Lady know.

Michelle Donelan (Chippenham) (Con): My grandmother died of breast cancer a few years ago, and my heart goes out to all women affected by this fatal IT malfunction. I welcome my right hon. Friend’s assurance that he is going to do everything he possibly can to ensure that this does not happen again. Has any consideration been given to the impact of this on GP surgeries? I expect that, during the next few days while women wait for their letters, they might make appointments with their GPs in anticipation, and in fear.

Mr Hunt: Yes, we are briefing all GP surgeries and all GPs about what the appropriate response is, because we recognise that that might happen. Of course, GPs are there for people to talk to at any time if they have concerns, and some people may choose to do that. We have also set up a specialist helpline that will be open seven days a week from 8 am to 8 pm, where people will be able to get advice straightaway by picking up the phone. We think that that will be the most practical option for most people.

Several hon. Members rose—

Mr Speaker: Order. As colleagues know, I like to call everyone on statements, and I do not wish to make an exception today, but I remind the House that we also have a ten-minute rule motion and a very heavily subscribed Opposition day debate. In pledging to try to get all remaining colleagues in, I ask them to do us all the great favour of being extremely brief. I am sure that Mr Shannon has in mind just a short sentence without any preamble or subordinate clauses.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State for his statement and for his compassion and care. Is he aware of any discussions on the continued alignment with the European Medicines Agency’s drug licensing process to ensure that our breast cancer patients,
and indeed all cancer patients, have access to the benefits of the European trials and UK citizens are able to participate in clinical trials? This is very important.

Mr Hunt: That is a slightly different topic, but we have no greater priority than to ensure that Brexit does not interrupt the cancer care of UK patients.

Several hon. Members rose—

Mr Speaker: The hon. Member for Bexhill and Battle (Huw Merriman) will be a master of the pithy question because he was educated magnificently in my own constituency.

Huw Merriman (Bexhill and Battle) (Con): And I am very proud to have been.

The Secretary of State knows well and cares deeply about safety matters. As he also knows, I have spent too much of my time with the clinicians in the cancer centres of Maidstone and Tunbridge Wells. Will the review perhaps look at administrative and back-office resources and at whether they play any part in improving survival rates?

Mr Hunt: The whole House is thinking of my hon. Friend who, like many people in this country, is going through a huge amount of personal pressure as cancer strikes close to home. He is right that back-office systems are often poor when it comes to contacting patients, which is in contrast to the superb clinical care that we are usually able to offer, so we will absolutely consider that as part of the review.

Mr Speaker: I wish the hon. Gentleman well in the period ahead. I was not aware of those personal circumstances, but the whole House will wish his nearest and dearest all the best.

Hon. Members: Hear, hear.

Simon Hoare (North Dorset) (Con): As I understand it, Public Health England, which is of course operationally independent of Ministers, runs the screening programme, so what assurances have the chair and chief executive of that important organisation given my right hon. Friend that the actions that he has usefully set out today will be completed within the required deadlines to meet the obvious and legitimate demands of patients?

Mr Hunt: PHE has given clear assurances that the problem has been fixed, but it is open to any suggestions that the review makes as to how things could have been handled better.

Craig Tracey (North Warwickshire) (Con): I thank the Secretary of State for his statement. As co-chair of the all-party parliamentary group on breast cancer, I know that his Department takes breast cancer seriously, so the Secretary of State and the ministerial team will no doubt be as disappointed as I am that the statement was necessary today. However, will he set out what the women affected need to do and, importantly, what additional steps can be taken to reassure and support those women?

Mr Hunt: Anyone who has concerns as of today is welcome to call the helpline, but the women whom we know have been affected will be contacted by the end of the month. The first thing that many people will do is take action on receipt of a letter. If they are under 72, the letter will tell them that they will shortly be sent a date for a catch-up scan. If they are over 72, it will tell them how they can get advice as to whether that is appropriate for them.

Kevin Foster (Torbay) (Con): I welcome the tone of the Secretary of State's statement, even though its contents will be devastating for many people and families across my constituency. Will he confirm what engagement there will be with groups such as local health watches and support networks to ensure that the information that he has given is relayed to them and their users?

Mr Hunt: That is a good point. I can assure my hon. Friend that the Department will be leading a big consultation exercise so that everyone is informed about how their individual organisations will be affected.

Henry Smith (Crawley) (Con): As chair of the all-party parliamentary group on blood cancer, I am pleased that the Secretary of State talked about the lessons that will be learned from this breast screening error. Will he assure me that what is picked up will inform future diagnostic programmes?

Mr Hunt: Absolutely. That will be one of the most important things that the review does.

Jeremy Quin (Horsham) (Con): Tragically, it seems that the flaws were of long standing—I think the Secretary of State referred to a decade or more. Notwithstanding the length of time that has passed, will he assure the House that lessons will be learned that relate back to the procurement and design decisions that were made at the outset?

Mr Hunt: Absolutely. There are basically two parts to this process. One is what the problem was with the original procurement, and the other is the problem with the assurance of the project over the time period.

Matt Warman (Boston and Skegness) (Con): I welcome the compassionate tone of the Opposition spokesman and the Secretary of State, and I particularly welcome the fact that he personally said sorry. Will he do all that he can to ensure that faith is restored in such technologies, because they do an awful lot of good when they work?

Mr Hunt: My hon. Friend is absolutely right. One of the most important ways of getting that change in mindset is by giving patients more control. Later this year, we will be offering all NHS patients an app through which they can access their medical record, and that should start to become a way in which people take control of their healthcare destiny, including such things as invitations to screenings for all cancers and many other public health measures.

Mary Robinson (Cheadle) (Con): While Stockport is one of the best areas for cancer identification, there will be concern that some people may have missed a routine call for screening. Last year, my constituents in Heal.
Green were particularly affected when their local breast cancer screening provision was relocated to Macclesfield District Hospital, which is over an hour away. As we address the screening issue, does my right hon. Friend agree that we must ensure that breast cancer screening is local and accessible?

**Mr Hunt:** We need to ensure that screening is accessible. I fully understand the concerns of my hon. Friend’s constituents, and I am happy to ask the Public Health Minister to look into that issue.

**Anna Soubry** (Broxtowe) (Con): My friend Emma Agnew, a woman in her own right but also known as “Mrs Aggers” because she is married to the cricket commentator Jonathan Agnew, is one of a remarkable group of women who have faced breast cancer and beaten it, but it must be said that she had huge support from her husband, and our thoughts are also with my hon. Friend the Member for Bexhill and Battle (Huw Merriman). Emma had mammography last February and thought all was good, but she kept on checking her breasts. Screening is wonderful, but she checked her breasts, which was why she knew something was wrong in July. She was immediately diagnosed, she received fantastic treatment on the NHS and she is a survivor. Will the Secretary of State reiterate that we must all keep an eye out for cancer, whatever age we are?

**Mr Hunt:** My right hon. Friend speaks extremely wisely. We have the Touch, Look, Check campaign, and it is important that we see screening as just one important part of the battle against breast cancer, but it is no substitute for many of the other things that really matter.

**Kevin Hollinrake** (Thirsk and Malton) (Con): I thank my right hon. Friend for his statement and for his tone. This was clearly a failure not only of IT, but of quality assurance, so will he commission a review of quality assurance right across the health service to ensure that it is as effective as it should be?

**Mr Hunt:** My hon. Friend may well be right that we need to do that, but what I would like to do first is to see the outcome of this review, what the lessons are and what precisely it says about the quality assurance that applied in this case, and then make a judgment about the implications for the rest of the NHS.

**Fiona Bruce** (Congleton) (Con): I thank the Secretary of State for the genuine personal concern that he has shown today and for his determination to get to the bottom of the matter. Will he continue to keep the House and, more importantly, the public and any women affected informed as further information comes to light?

**Mr Hunt:** Yes, I am happy to give that assurance. The number of people affected is only an estimate at the moment, but there will obviously be great interest in the House and in the country in what the actual number ends up being.

**Chris Skidmore** (Kingswood) (Con): An additional 200,000 to 300,000 women could be seeking breast cancer screening within the next six months, which works out roughly at an additional 2,000 women a day. What reassurances can the Secretary of State give to the women who were due a screening anyway that their treatment will not be delayed as a result of the additional need?

**Mr Hunt:** That is an important question. One of our top priorities has been to construct a resolution to the problem that will not have an impact on the regular screening programme for women between the ages of 50 and 70, which is so important. All I can say is that a huge amount of trouble has been taken to try to ensure that we are putting additional capacity into the system to deal with the extra work.

**Robert Courts** (Witney) (Con): I also welcome the compassionate tone used by hon. Members on both sides of the House today, and my thoughts are with all those affected. Will the Secretary of State reassure those in west Oxfordshire and beyond who will be concerned that this IT failure may be present in other critical systems that he will do everything possible to ensure that that is not the case?

**Mr Hunt:** Yes, absolutely. We are doing this review because we want to understand precisely why this happened and what the proper counter-measures are.
Points of Order

1.49 pm

Mrs Maria Miller (Basingstoke) (Con): On a point of order, Mr Speaker. It is clear from media coverage that a former senior member of staff in this place has felt unable to speak out about serious alleged wrongdoing because of an agreement signed with the House of Commons when they left. The Women and Equalities Committee is currently investigating the way agreements can affect individuals’ ability to speak out, or their perceived ability to speak out.

Mr Speaker, I understand that, as Chair of the House of Commons Commission, you are the ultimate employer of House of Commons staff. What steps will you be taking to make it clear to staff, both current and former, that they can speak out about wrongdoing experienced while working in this place? Can I ask whether you will be making a personal statement, given your involvement in these further allegations that potentially have the effect of undermining the reputation of this House?

Mr Speaker: I am extremely grateful to the right hon. Lady for her courtesy in giving notice of this point of order—I am conscious of her and her Committee’s interest in the subject of non-disclosure agreements—and for giving me the opportunity to reassure her and current and former staff of the House.

Let me be clear: current and former staff are not constrained by any agreements from talking freely and confidentially to the independent inquiry into bullying and harassment, which is being conducted by Dame Laura Cox, QC, and I hope that they will do so.

I also understand that the Clerk of the House has this morning provided the right hon. Lady with a note on perfectly amicable terms. I am also happy to confirm both. I have already made, there has been nonesuch. It is absolutely right, of course, that work should be taken forward under the auspices of the Leader of the House with a view to presenting policies for the approval of the House, including, very importantly, an independent grievance procedure. I am on record on that matter on a number of occasions, and I gave evidence to the cross-party inquiry. My support for thoroughgoing change is very well known and has been oft-repeated. I am happy to take the opportunity to repeat that support today.

Cat Smith (Lancaster and Fleetwood) (Lab): On a point of order, Mr Speaker. I seek your guidance on how to secure the correction of a statement made by the Government. In September 2017, the Cabinet Office wrote that “alleged electoral fraud through voter impersonation more than doubled between 2014 and 2016”.

That statement was later used to justify the Government’s voter identity trials, which are taking place at the local elections in some parts of the country tomorrow.

The UK Statistics Authority stated yesterday that the Government have misled the public to believe that voter fraud by impersonation has risen. Although the number of alleged cases of impersonation rose from 21 to 44 between 2014 and 2016, the total number of votes cast in those years rose from 29 million to 64 million, and the number of cases subsequently dropped off to 27 in 2017.

Mr Speaker, can you advise me on what I can do to ensure the Government correct their misleading statement?

Mr Speaker: I am grateful to the hon. Lady, whom I thank for giving me notice that she wished to raise the matter. She has raised it, and she has put her concern very forcefully on the record. That concern will have been heard on the Treasury Bench, and a Minister is welcome to respond if they wish to do so.

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I will be brief. I am grateful to the hon. Member for Lancaster and Fleetwood (Cat Smith) for her courtesy in also letting me know of her letter in advance of this point of order. I am also grateful for the letter itself, which highlights the importance of the pilots that are taking place tomorrow to safeguard the security of our electoral system. I am happy to commit to answering her letter in due course.

Mr Speaker: I am grateful to the Minister for that clear reply. It is, of course, the case that what Members say in this place—this applies equally to Ministers and to non-Ministers—is a matter of their individual
responsibility, rather than something upon which I can 
adjudicate. If there is error, it is the responsibility of the 
Member to correct the record. I am extremely grateful 
to the Minister for her courtesy and speed in coming to 
the Dispatch Box.

Neil Gray (Airdrie and Shotts) (SNP): On a point of 
order, Mr Speaker. I submitted three named day questions 
on 18 April for answer on 24 April, some of which 
covered the Opposition day motion that is to follow, 
including asking when Ministers were involved in the 
destruction of Windrush landing cards. What is your 
view and expectation, and this House's view and 
expectation, of Ministers meeting the timetable for 
named day questions, given that I have not yet received 
an answer? When can I expect any Home Secretary to 
come forward with an answer to those written questions?

Mr Speaker: I am not psychic, but my response to the 
hon. Gentleman is to say that, under successive recent 
Governments, a greater premium has started to be 
placed upon the timeliness and substantive content of 
answers to colleagues' parliamentary questions. Ordinarily, 
the Leader of the House would tend to see it as part of 
his or her responsibility—currently her responsibility—to 
chase errant Ministers who fail timeously to reply to 
questions, and there is, at best, a healthy competition 
between Government Departments as to which can do 
so to maximum satisfaction.

Certainly if there is a named day question, that 
question should be answered on time. I am frankly 
disappointed if the hon. Gentleman has not had that 
service. What I would say to him is, first, it is quite 
possible—I think he knows this—that, as a result of 
airing the matter in the Chamber today, a reply might 
be more speedily forthcoming than would otherwise 
have been the case.

Secondly, if the hon. Gentleman wished to follow the 
practice of the late Sir Gerald Kaufman, he might be 
minded to table a written question asking a Minister 
when they intended to reply to his earlier named day 
question. In Sir Gerald's experience, publicly reminding 
a Minister that an answer had not been received tended 
to elicit the said answer.

I hope that is helpful to the hon. Gentleman and, 
indeed, more widely to colleagues, perhaps particularly 
to new Members across the House.

BILL PRESENTED

Tenants Fees Bill

Presentation and First Reading (Standing Order No. 57) 
Secretary James Brokenshire, supported by the Prime 
Minister, Mr David Lidington, Secretary Sajid Javid, 
Secretary David Gauke, Secretary Greg Clark and 
Mrs Heather Wheeler, presented a Bill to make provision 
prohibiting landlords and letting agents from requiring 
certain payments to be made or certain other steps to be 
taken; to make provision about the payment of holding 
deposits; to make provision about enforcement and 
about the lead enforcement authority; to amend the 
provisions of the Consumer Rights Act 2015 about 
information to be provided by letting agents and the 
provisions of the Housing and Planning Act 2016 about 
client money protection schemes; and for connected 
purposes.

Bill read the First time; to be read a Second time 
tomorrow, and to be printed (Bill 203) with explanatory 
notes (Bill 203-EN).
Victims of Terrorism (Pensions and Other Support)

Motion for leave to bring in a Bill (Standing Order No. 23)

2 pm

Emma Little Pengelly (Belfast South) (DUP): I beg to move,

That leave be given to bring in a Bill to make provision about support for victims who have been severely injured or bereaved as a result of acts of terrorism by an unconnected person or organisation in the United Kingdom; to establish a review of pension support for such victims; to require that review to make proposals for additional support taking account of the effects on occupational pension provision for such victims; and for connected purposes.

It is an absolute privilege to present this ten-minute rule Bill on an issue that I, and my colleagues, care very deeply about and that I have been involved with for many years. It is particularly poignant that this month marks the first anniversary of the Manchester Arena bombing, an appalling act of terrorism that has touched, and continues to touch, so many hundreds of people in its brutal impact.

When a terrorist attack happens, it rightly unites our nation in shared revulsion and condemnation. The headlines show the appalling and shocking events. The voices of those hurt, the pictures of chaos and distress from the scene, and the stories of those lost are rightly given prominence across our media platforms. We stand united in grief, as the images of horror and destruction are shown on television screens, computers and newspapers. Thoughts, prayers and best wishes are sent. People post and change their social media profiles to images of Solidarity. Yet how quickly after the headlines have faded the acuteness of the shock and horror dissipates for many; the rest of the world, it seems, moves on. But for those most deeply impacted, it is often the end of their world as they knew it. Their lives have been shattered. They continue to suffer the loss of a loved one, with a huge human-shaped gap in their lives: a loving child, spouse, sister or brother, mother or father, friend, gone in the most brutal of ways. Tears continue to fall long after the media frenzy has passed.

There are those whose journey begins only once the headlines change and the profile pictures revert—that is, to the people who are left to work with the trauma and debarres with the impact of terrorist events on their lives and on their children and loved ones. In Northern Ireland, during the worst of the terrorist threat and reality, how we remember the wrongs of the past and support those who were hurt the most should be the very hallmark of what we as a society are about. This is about compassion. Victims must not be forgotten. It is right and proper that their needs are addressed, and this work should be led from the very top, from our Government. A comprehensive review leading to enhanced support and clear actions can make us a world leader in the care and support that we give.

There are a number of distinct issues that I want to touch on briefly, many of which are based on our experience in Northern Ireland, the first of which is the needs of the bereaved. In any atrocity, the families and loved ones should be treated with compassion and care. Timely information and support services should be provided as quickly as possible. The trauma and distress of losing a loved one in such a sudden and violent way brings about particular challenges. Counselling and bereavement services must be available where and when they are needed. Such a loss can also create a sudden change of family circumstances and financial hardship.

I have also had the opportunity to speak to those victims bereaved and injured as a result of Libyan-supplied Semtex. Much work has been done to try to secure support and compensation for victims. I strongly urge the Government to look fresh and urgently at the proposals seeking to support victims in need. I welcome the engagements so far, but now is the time for action. A review should look into not only the options of how to secure moneys from the Libyan Government, but how support can happen now, while those negotiations are ongoing.

Secondly, a review must examine the mental health legacy of terrorism and violent trauma. Over recent years, a number of key studies, particularly in Northern Ireland, have examined the profound impact of terrorism and violent trauma on mental health, which often does not manifest itself until many, many years later. Rates of self-harm, suicidal ideation, rates of suicide, substance abuse and family break-up are all considerably higher among those who suffered the trauma of terrorism. The review must look at how mental health supports can be put in place, both at community and NHS level, to identify and address trauma in victims, and build on the incredible work that organisations already do across the UK in this field.

Thirdly, the review should examine the impact of dealing with a terrorist attack—usually its aftermath—on our emergency services and first responders to the scene. Over recent decades, we have all become much more aware of the impacts of trauma on mental health. In Northern Ireland, during the worst of the terrorist campaign, there was limited support and help for the police officers, Army personnel, ambulance staff, firefighters, nurses and doctors—those who are on the frontline in dealing with horrific injuries and multiple casualties. Many were left deeply traumatised, and for many post-traumatic stress disorder was not identified or did not manifest itself until many years later. I know that across this House we would all want to pay tribute to those brave men and women who work so valiantly, in incredibly difficult circumstances, to help and support the dying
and injured. A review should examine how we can have a comprehensive and timely support service for our emergency services.

Lastly, I want to speak briefly about the particular needs of the physically disabled. In the Manchester Arena attack, more than 100 people were injured, some of those very severely. The headline figures are often about those who tragically lose their lives, but I believe we all underestimate the gravity of the injuries caused by these types of attacks. Over the years, tens of thousands of people across the United Kingdom have been left with serious traumatic injuries as a result of terrorism, and these victims are living with those injuries every day. The availability of severe pain management, rehabilitation support, prosthetics and other aids is critical throughout the decades that they have to live with the injuries. The review must also examine the proposal for the introduction of a special pension for the severely disabled across the United Kingdom.

Many victims of terrorism suffered traumatic injury to limbs, particularly lower limbs. Although I welcome the fact that workplaces have increasingly become more accessible for those with mobility challenges, particularly wheelchair users, we should also recognise that that was not always the case. Many victims sustained these horrific lower-limb and other injuries relatively early in their working life. Most workplaces were not suitable for wheelchair access during those decades, and many had to leave work. That has created a very particular wrong, as those victims, who continue to suffer these terrible injuries, are dealing with the impact of ageing on those injuries, and they face older age without any occupational or work-related pension.

I pay tribute to the many victims who have worked so hard on this issue, raising its profile and meeting politicians across the various political parties to raise awareness about it.

I do not wish to dwell for long on the definition of a victim, save to say that to me this is very straightforward. The terrorist who drives a van into crowds of people, who wields the knife, who shoots to kill or who plants the bomb is not a victim, even if he is killed in doing so. To me, that is absolutely clear and right. That is why I have clearly referenced in the long title of this Bill, “acts of terrorism by an unconnected person or organisation”.

In conclusion, I hope that the Government will listen and respond to the calls for a comprehensive review of support for victims of terrorism across the United Kingdom, and that there is continued wide support for my call for compassion and action to support all those brave victims from across this country, and for them to get the help they need and deserve.

Question put and agreed to.

Ordered.

That Emma Little Pengelly, Kate Hoey, Andrew Bowie, Andrew Bridgen, Colin Clark, Faisal Rashid, Andrew Rosindell, Mr Laurence Robertson, Sir Jeffrey M. Donaldson, Nigel Dodds, Ian Paisley and Gavin Robinson present the Bill.

Emma Little Pengelly accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 204).
extending to many people from across the Commonwealth and former empire. The history of the Cardiff docks communities is very much one of strong Caribbean, African, Pakistani, Bangladeshi, Somali and Yemeni communities, all of whom paid a huge contribution over hundreds of years. Does she agree that this goes much wider than Windrush?

Ms Abbott: I am grateful for my hon. Friend’s intervention. I was going to make that point in the course of my remarks.

The Windrush generation were the first cohort to come here, but then there was south Asia, Sri Lanka—there is a whole series of Commonwealth migrants who, unless the Home Secretary does what it takes, will suffer the same humiliation as the Windrush generation.

Simon Hoare (North Dorset) (Con): At the moment the right hon. Lady has not said a word that I have disagreed with, and I thank her for how she has said it. She referred to an issue that will not go away. Another issue that will not go away is, of course, the issue of illegal immigration, which is absolutely embedded within this whole debate. Can or will the right hon. Lady be—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Mr Deputy Speaker: I am sorry; I did not hear you.

Mr Deputy Speaker (Sir Lindsay Hoyle): I am sorry; I normally am heard, but I have a very quiet voice, as you well know. Lots of people here have a very keen interest in this debate, and I want to make sure that everybody who has put their name in does speak. If we are going to have interventions, will those who are hoping to speak please try not to intervene? You will end up moving yourself down the list—and please, interventions must be short.

Ms Abbott: I listened with interest to what the hon. Gentleman has said. It is interesting how forenamed Members on the Opposition side of the House support illegal immigration, but the hon. Gentleman must appreciate how distressing it is for the Windrush generation to see the way that Members on the Government side of the House turn to illegal immigration whenever the subject of the Windrush generation is raised. They were not illegal. It is interesting how forenamed Members want to pivot and to talk about illegal immigration.

I want to talk about the role of the Prime Minister. Many people feel that, with the Windrush scandal, all roads lead back to her. It was the Prime Minister who was responsible for some of the worst aspects of the hostile environment. It was the Prime Minister who initiated the notorious go-home immigration vans. It was the Prime Minister who introduced the “deport first, appeal later” regime, and we know from documents in the public domain that it was the Prime Minister who set deportation targets.

It has been revealed that the right hon. Member for Hastings and Rye (Amber Rudd), the former Home Secretary, wrote a four-page memo to the Prime Minister on 30 January. In it, the right hon. Lady set out what she described as an “ambitious” plan “ruthlessly” focusing Home Office priorities and stated:

“I will be refocusing IE’s work to concentrate on enforced removals. In particular I will be reallocating £10m (including from low-level crime and intelligence) with the aim of increasing enforced removals by...10%...over the next few years”.

Ministers can try to dance on the head of a pin, but 10% is a target on any reasonable understanding of the term.

Mrs Anne Main (St Albans) (Con): Will the right hon. Lady give way?

Ms Abbott: I feel I have to make some progress.

There is no question but that the existence of these targets put pressure on officials to hit those targets and contributed to the way the Windrush generation was treated. So the question is posed—

Mrs Main: On a point of order, Mr Deputy Speaker. Several times, the right hon. Lady has graciously given way or has indicated that she is about to give way, but now it seems that she has received instructions from behind her.

Mr Deputy Speaker: Let me reassure the House: it is up to the Member who is speaking whether they—

Mr Deputy Speaker: Order. Thank you for the advice, but I am quite capable of speaking for myself. What I would say is that it is up to the Member who is speaking whether they give way or not. I want to make sure that everybody gets in. Quite rightly, if the shadow Home Secretary does not want to give way, she does not need to.

Ms Abbott: I am conscious that a number of hon. Members want to contribute to the debate, and therefore I am anxious to make progress.

So given that the Prime Minister knew so much about the target regime, we have to wonder, when she heard the various denials from the former Home Secretary, why did she not think to correct the record, or at least advise the then Home Secretary accurately to correct the record. Why did she not do that?
The Prime Minister's record and her responsibility are clear. We have had go-home vans; the "deport first, appeal later" policy; targets for removals and for unsuccessful immigration appeals; protections against—

Mr Marcus Jones (Nuneaton) (Con): Will the right hon. Lady give way?

Ms Abbott: A number of hon. Members want to contribute to this important debate, and I am anxious to make progress.

Ministers now express their concern about the Windrush generation, saying that they came here, were invited and have contributed to this country's prosperity. I might add that the Windrush generation enriched us in many other ways too, socially and culturally. That is what migrants do. Overwhelmingly, they come to build a better life for themselves and their family—wherever they are from, wherever they are going—and in building a better life for themselves and their family, they contribute to the prosperity of all. That is why it is time that we had a more positive narrative on migration.

As we heard earlier, Government Members and Ministers would far prefer to talk about illegal immigration than the plight of the Windrush generation. As I said earlier, no one on the Opposition Benches supports illegal immigration, getting the paperwork correct.

For our part, the Labour party has pledged to recruit 500 extra border guards to deal with illegal immigration, people and drug trafficking, and smuggling. We do not want to support illegal immigrants; we want to prevent people who do not have the right to be here from entering the country. This Government and their immediate predecessors cut the border guards, so it is distressing to hear them talk about illegal immigration, rather than focusing on what is happening to the Windrush generation.

The Windrush generation are here legally, yet they continue to be talked about by some Government Members as if they were here illegally. The Government were warned that negative outcomes for Commonwealth citizens who had been here for decades would be a consequence of their hostile environment policy. Many people in the House warned them, including myself, as well as many others outside the House.

Dr Andrew Murrison (South West Wiltshire) (Con): Will the right hon. Lady give way?

Ms Abbott: I am afraid not. I am trying to make progress.

The warnings from the Opposition and individuals such as myself, and from all sorts of stakeholders, were ignored. The Government ploughed ahead regardless, with the consequences that we all see.

I also want to point out to the House that the Windrush generation includes people who came here as children before 1973. They have to be considered. In some cases, a lack of the documentation that the Home Office has only recently begun to insist on under this Government means that grandchildren may be caught up as well. All of this must end.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): My right hon. Friend is making an excellent speech. Is she as surprised as I am that, despite the national debate over the last two weeks, when my office called the Home Office MP helpline yesterday to support a Windrush-affected constituent and inquire about the process, we were told that the helpline staff had been given no guidance on citizenship applications? My constituent, who has to prove that he has been here since 1965 with two forms of ID for every year, is in despair.

Ms Abbott: It does not seem that we have moved away from the Windrush situation altogether if somebody is being asked for two pieces of documentation for every year they have been here, as that was the problem for the Windrush generation—excessively rigid demands for documentation and no proper guidance.

Dr Murrison: Will the right hon. Lady give way?

Ms Abbott: No.

So the children of people who came here before 1973 have to be considered, and as my hon. Friends have said, the scandal also includes those who came from many other Commonwealth countries, including India, Pakistan, Bangladesh and countries in west Africa. It is not just about the Caribbean; these cases arise now only because many of those people came here—were invited here—earlier than the others.

In speaking about the Commonwealth, I made this point in my urgent question earlier in the week: this is an issue that has resonated around the Commonwealth—it is front-page news not just in the Caribbean, but in a range of Commonwealth countries. The point I was trying to put over to the Home Secretary is that, when we are trying to build our relationships with the Commonwealth for trade and other reasons—post-Brexit certainly, but I would support it in any event—what has been revealed about the way Commonwealth citizens have been treated is extremely damaging. That is not the most important reason to clear up this mess, but it is a reason to clear it up. I hope that the Home Secretary understands that.

Dr Murrison: Will the right hon. Lady give way?

Ms Abbott: I am afraid that I need to make progress. I know that the Home Secretary is going to speak about his proposals for a package of measures to increase transparency.

Clive Efford (Eltham) (Lab): Will my right hon. Friend give way on the issue of transparency?

Ms Abbott: I give way to my hon. Friend. [Laughter.]

Clive Efford: I am grateful to my right hon. Friend for winding up Government Members even further by giving way to me. If passed, this Humble Address is binding on the Government to publish all the documents relating to this matter and to provide those documents to the Select Committee on Home Affairs. I understand that the Government have issued a three-line Whip to vote against the motion. Can she explain what possible reason they might have for doing so?

Ms Abbott: I can only speculate about why the Government would vote against this motion.
Anna Soubry (Broxtowe) (Con): Would the right hon. Lady like to find out? Will she give way?

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Can we please have a little less noise from the Back Benches? The right hon. Member for Broxtowe (Anna Soubry) will be called to speak early in the debate and we want to hear her contribution, so I do not want her to waste her voice by shouting too much.

Ms Abbott: Do Government Members understand how voting against this motion will look to the Commonwealth and the Windrush generation here? Do Government Members understand how the laughter that we heard a few minutes ago will be seen by the Windrush generation? It is as if they do not take this issue seriously.

Anna Soubry: On a point of order, Mr Deputy Speaker. Could the record show that there was no laughter on these Benches, as has just been alleged?

Mr Deputy Speaker: That is certainly not a point of order, but I can assure hon. Members that there was laughter from both sides of the House.

Ms Abbott: As I was saying, Members of the Windrush generation and people who live in Commonwealth countries will be watching this debate, and they will have heard Government Members laugh. They will get the sense that Government Members are not taking this matter entirely seriously.

Dr Murrison: On a point of order, Mr Deputy Speaker. The right hon. Lady just referred to this as a debate. I seek your guidance on whether this can legitimately be described as a debate given that the right hon. Lady consistently refuses to take interventions from Conservative Members.

Mr Deputy Speaker: Dr Murrison, you and I both know that that is definitely not a point of order. I will repeat what I said at the beginning, which is that it is up to each individual whether they wish to give way. That is how the House works and it is how the House will continue.

Ms Abbott: I remind the Home Secretary of the information that many of us campaigning on the issue want. We want to have the figures for deportations. Ministers are currently saying that there have been no deportations.

James Cartlidge: On a point of order, Mr Deputy Speaker. Is it in order to table a motion in relation to text messages?

Mr Deputy Speaker: I am getting very worried that somebody just might make a point of order, but that is definitely not one.

Ms Abbott: I said at the beginning of my speech that we should focus on the Windrush generation. It will not look well to them or any of our constituents if Government Members seek to go off on some kind of tangent.

Heidi Allen (South Cambridgeshire) (Con): Will the right hon. Lady give way?

Ms Abbott: I really have to continue. We need to know the number of deportations and removals. We also need information about Windrush generation persons who are in immigration detention. The Government must know the number of people who are held in detention and why they are there. I have met Windrush generation persons in Yarl’s Wood detention centre, so I will continue to press the Government to provide that information. We also want information on the number of people who have been refused re-entry—people who perhaps went back to their country for a funeral or some such event, but were refused re-entry at the airport. These people have to face humiliation and separation from their family. We need to know the number of people in that situation. We cannot just brush it aside. Imagine what it is like for an elderly woman who has been home for a funeral to be stopped at the airport on her return and told that she cannot come home. We want to know the number of British people who have been refused re-entry.

Jeremy Quin (Horsham) (Con): Will the right hon. Lady give way?

Ms Abbott: I have to make progress.

I had a meeting about Windrush in the House of Commons about two weeks ago. Some 500 people attended and there were 200 people on the waiting list, and these people were extremely anxious. My right hon. Friend the Member for Tottenham (Mr Lammy) had a meeting yesterday that the Immigration Minister attended, and the people there were also concerned and anxious.

At yesterday’s meeting I was pleased to meet Amelia Gentleman for the first time, and I want to take this opportunity to praise her for her work, because she came back to this story week after week. Her newspaper put it on the front page. She showed a commitment to this story that some journalists might not have; they might have walked away or moved on. Many members of the Windrush generation really appreciate her campaigning and journalism, and I am glad to pay tribute to that this afternoon.

A number of issues were raised at yesterday’s meeting, which was organised by my right hon. Friend the Member for Tottenham. These issues have also been raised with me. A number of people found themselves literally destitute because of the way in which this policy worked. What type of policy making results in British people being put on the street because of this so-called bearing down on illegal immigrants? These people, who the Government put on the street, were British. People have also been given biometric identity cards, but they want to know why they cannot have passports like anyone else. I presume that the Home Secretary will be able to tell me.

It was clear from the meeting yesterday that many people are still frightened to come forward. We welcome any clarity from the Home Secretary because until people do not think that they will be picked up and detained if they approach officials, people who have been harmed will not come forward. This is very important. No one wants British citizens to be afraid to approach the authorities.

People at the meeting were concerned about compensation. As soon as we can have more details on compensation, they will be welcomed. Windrush
compensation could cover pain, suffering and loss of amenity. It could also cover damages arising from: loss of liberty; impact on private and family life; unlawful detention; loss of employment; past loss of earnings; travel expenses; moving costs; legal fees; healthcare costs; loss of state benefits; past loss of pension; care and assistance; future loss of earnings; and loss of pensions. That is to name but a few. People are anxious that the Government’s promises of compensation will be meaningful and will cover the issues that I have touched on. If I could say just one thing in this debate, it would be that it is really important that we get the process for compensation right. Only then will the Windrush generation feel that they have been treated fairly.

There are other substantive questions for the Home Secretary. He must surely understand by now how serious this issue is and how far-reaching are the consequences of his Government’s policies—policies that he has supported throughout. Has his Department been in contact with British embassies and high commissions in Commonwealth countries so that they can use their best endeavours to establish where people have been wrongly deported? I referred to detention and to people refused re-entry. Similarly, how many people “voluntarily” left under threat of deportation? What information has the Home Secretary’s Department requested and received from Heads of Government of Caribbean nations and others regarding people who have been deported or otherwise prevented from returning to the UK?

Ms Abbott: I have to make progress.

In May 2012, the Prime Minister told readers of The Daily Telegraph:

“The aim is to create here in Britain a really hostile environment for illegal migration.”

As I have said, no Opposition Member supports illegal migration, but the problem with the hostile environment that the Government set up was that it swept perfectly legally British citizens up with it. So the Home Secretary will forgive me if I wonder about his claiming now to be abandoning the “hostile environment” title. I say this with all due respect, but his predecessor never seemed to be in command of policy on this matter. She was used as a human shield by the Prime Minister. I would hate to think that he will find that he is not in charge of policy on this matter either, but the Prime Minister is. In any event, unless and until the Prime Minister announces the abandonment of the form of hostile environment policy that she instituted and demonstrates that that is the case, we should all understand that the policy remains in place: the labelling and the spin do not matter. Unless the Government formally change their policies, Opposition Members will be clear, and this country will know, that their treatment of the Windrush generation was not an aberration and not a hiccyp—it was the predicted consequence of a policy that they intend to continue with.

Mark Garnier (Wyre Forest) (Con): Will the right hon. Lady give way?

Ms Abbott: I am coming to an end now.

One of the important things about the Windrush scandal is that it is an opportunity to review immigration policy and the administration of immigration policy. We now have a situation where, because of the way that immigration is currently administered, this Government are preventing doctors from coming to take up jobs that they have been offered by the NHS. The NHS is in crisis. There is a shortage of 10,000 doctors, and the total number of NHS vacancies is in the tens of thousands. We therefore need to review immigration policy so that it is not only more humane but actually works in the interests of this country. We have seen a similar grotesque policy of wrongly removing overseas students from courses they have paid for, as this morning’s Financial Times reports. The NHS is suffering, our education system is suffering, and many others sectors are suffering: all because of a narrative on immigration that deems immigration to be toxic.

Finally, let me say this. The Windrush generation played an important role after the war. The Windrush generation are very meaningful to many of us who were brought up by that generation. They did not deserve to be treated in the way that they were. Ministers say they did not know, but there was a pattern in what was going on; they chose not know. As I said at the beginning, this issue is not going to go away. Opposition Members will not stop until we get not promises and not spin, but justice for the Windrush generation.

2.46 pm

The Secretary of State for the Home Department (Sajid Javid): Let me start by thanking the right hon. Member for Hackney North and Stoke Newington
[Sajid Javid]

(Ms Abbott) for what she said in her opening remarks in welcoming me to my new position. I appreciate her comments.

I know I am not alone when I say that there are men and women from the Windrush generation who have been seriously let down by the immigration system: men and women who have had their lives totally and utterly disrupted, and in many cases put on hold. As I made clear at this Dispatch Box on Monday, I will do whatever it takes to put this right. That means putting all our focus and our resources into dealing with this issue and helping those who have been affected by it.

Catherine West (Hornsey and Wood Green) (Lab): May I be one of the first to congratulate the Secretary of State and wish him all the best in his new role? Could he confirm whether staff are paid bonuses for the number of individuals they remove?

Sajid Javid: Bonuses are paid in some parts of the senior civil service. If they are, that is not a matter for Ministers. Ministers will not get involved. In the case of my Department, it would be the permanent secretary and other officials he would work with.

We want to make sure that we are using all our resources into helping with the situation that has been created, doing everything we can. However, putting it right does not mean that we divert our time and effort into some massive, open-ended fishing expedition. The motion in the name of the right hon. Member for Islington North (Jeremy Corbyn) and others is disproportionate and distracting. It would take help and capacity away from where it is needed by reassigning more than 100 officials, and that would of course create significant cost for taxpayers.

Stephen Doughty: With regard to officials, the Home Secretary did not, with the greatest respect, give an answer to my hon. Friend the Member for Hornsey and Wood Green (Catherine West) on the issue of bonuses. Have senior officials, including Hugh Ind, Mandie Campbell—a former member of staff—Glynn Williams or Philip Rutnam, received bonuses related in any way to removals, deportation or detention targets: yes or no?

Sajid Javid: Like the hon. Gentleman, I am aware of some of the reports on that this morning. I have not personally had time to look into the particular issue of who may or may not have received bonuses. However, as I said, if there are senior civil servants who have received any bonuses, it is a matter for officials, not for Ministers.

Mrs Main: I thank my right hon. Friend for giving way. He is being very generous to the Opposition, when they were not to us. I notice the burdensome nature of what the motion requests. Why does he think the Opposition wish to see documents from 2009? I prefaced my remarks by mentioning the overly burdensome nature of what the motion requests and questioned why the Opposition were so selective, when some of this was on their watch.

Mr Deputy Speaker: That is a point of correction.

Sajid Javid: I was just coming on to the greater transparency measures that I want to put in place. First, I will be writing each month to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) to give her and the House a report on progress. Secondly, I will also be writing to her each month on the latest position on detentions, removals and deportations. Thirdly, I will bring independent oversight and challenge to a lessons-learned review already under way in my Department. That review will seek to draw out how members of the Windrush generation came to be entangled in measures designed for illegal immigrants, why that was not spotted sooner and whether the right corrective measures are now in place. I have asked my permanent secretary to give the review the resources it needs and to aim to complete it before the summer recess.

Simon Hoare: I am very grateful to my right hon. Friend for giving way. Since his appointment on Monday, vile left-wing trolls have called him, among other things, a coconut and an Uncle Tom. Has that abuse motivated or depressed him in the challenge he faces?

Sajid Javid: I said earlier in the House that I am interested in a compliant, not a hostile environment. But, talking of a hostile environment, my hon. Friend reminds me of some of the hard left who have joined the Labour party ever since the right hon. Member
for Islington North became Leader of the Opposition and how their anti-Semitism has been tolerated—[Interruption.]

Mr Deputy Speaker: Order. I cannot hear a word for the shouting. My problem is that if I cannot hear, I cannot make a judgment on what is being said. We have to keep in order. This is making life very difficult and does not do us any favours.

Sajid Javid: I was talking about members of the hard left who have created a hostile environment in their own party and people who welcomed my appointment by calling me a coconut and an Uncle Tom. If that is something the Leader of the Opposition thinks is wrong, why does he not get up at the Dispatch Box right now and denounce them? [Interruption.] I did not think he would want to say anything, and we know exactly what he thinks about a hostile environment in the Labour party against people’s backgrounds. [Interruption.]

Mr Deputy Speaker: Order. The House must come to order. I want to hear this debate. We have constituents who want to hear this debate. This debate is very important to this country and the people of this country.

Ms Abbott: I simply want to respond to the Home Secretary by saying that I have been online condemning the racist abuse against him. I know what racist abuse is. Everyone in the Opposition, without exception, condemns the names that he has been called.

Sajid Javid: I thank the right hon. Lady for getting up at the Dispatch Box and making that absolutely clear. I thank her also for condemning the racism that I referred to. I know that she, like me, has suffered from racism. It is wrong when it happens to any person, whoever they are, and wherever they come from in our country. When it happens—particularly in political parties, including my own, where it has happened in the past—it is incumbent on all political leaders to stamp on it and to deal with it.

Justine Greening: I welcome my right hon. Friend to his position. Does he agree that this was a chance to have a debate about people, and instead the Opposition have chosen a motion that focuses on politicking and procedure? As someone who represents Windrush constituents, I very much welcome the steps he is taking to keep in order. This is making life very difficult and how their anti-Semitism has been tolerated—[Interruption.]

Sajid Javid: My right hon. Friend is absolutely right to make that point. She says that this is about people, and that is exactly what I want to come on to in more detail.

It is important to note that my predecessor, my right hon. Friend the Member for Hastings and Rye (Amber Rudd), had already started important work to help the Windrush generation, and I would like to pay tribute to her efforts. These are people who are pillars of our society. They are people who are doctors, nurses, engineers and bus drivers—people just like my father, who came to this country inspired by hope and motivated by ambition. These individuals have made a huge contribution to making this country the great place it is to live.

That is why this Government have been taking action. As Members know, a dedicated taskforce has already been set up to provide the support these people deserve. Each person who is identified as potentially from the Windrush generation is called back by an experienced and sympathetic caseworker, who then helps them through the process. So far, there have been more than 7,000 calls, of which 3,000 have been identified as potential Windrush cases. That group is being invited to service centres around the country for appointments. Travel costs are also reimbursed. So far, more than 700 appointments have been scheduled and more than 100 people have had their cases processed and now have the documents they need. Those numbers are increasing by the day, and we will continue to schedule those appointments as a matter of urgency.

Chuka Umunna: I thank the Home Secretary for giving way. He is right about the contribution of the Windrush generation, but can he be absolutely clear that these are people who are here and always have been here lawfully? Will he also condemn the continual attempt, not just in the Chamber but in the country generally, to conflate legal immigration with illegal immigration? I am fed up, every time the Windrush generation are spoken about, of continually hearing, “Well, what about illegal immigration?” We are talking about the Windrush generation.

Sajid Javid: The hon. Gentleman is absolutely correct on both counts. My predecessor said it, I have said it and I am happy to say it again: the Windrush generation are here perfectly legally. There is nothing illegal whatsoever about it. Because the Immigration Act 1971 did not lead to documentation for those people, which has become familiar for many Members of the House, it is now right that we put that right and make it much easier to get them the documentation and formalise their status where that has not already been formalised. He is also right to point out the distinction between legal—the Windrush generation and many others—and illegal.

Mr Mark Francois (Rayleigh and Wickford) (Con): Will the Home Secretary give way?

Sajid Javid: I will, one more time.

Mr Francois: I thank the Home Secretary for his generosity in giving way to Members on both sides of the House. The Windrush generation helped to rebuild this country after world war two, and we owe them a debt. Governments of all political colours make mistakes. It is clear that, despite the motion, some of this problem goes back beyond 2010, but we are where we are. Now that he has responsibility for this, can he confirm that he will strain every sinew to see that we do right by these people who did right by us?

Sajid Javid: I say to my right hon. Friend that I can confirm that, and I will do so. I will come on to cover in more detail the point he has made.

I want to address directly any concerns that people might still have about coming forward. As I told the House on Monday, any information provided to the taskforce will be used for no other immigration purpose than that of helping people to confirm their status. Any information provided will not be passed to immigration enforcement.
Let me remind the House of some of the other important changes this Government have introduced in the light of the Windrush situation. A Commonwealth citizen who settled in the UK before 1973 will now be entitled to apply for British citizenship—the legal status that they deserve—free of charge. We have made it clear that we will make the process they need to go through to get citizenship as simple as possible. While it is right that we are swiftly progressing urgent cases, all of this needs a proper legal underpinning, as hon. Members have suggested. That is why I will bring forward the necessary legislation to cover fee exemptions, fee reductions and changes to the citizenship process as soon as possible. I also recognise that, in some cases, people have suffered severe financial loss, and I want to put that right. That is why we are setting up a new compensation scheme. It will be overseen by an independent person, and we will consult on its scope, because it is important that we get the detail of this scheme right from the moment it begins.

It is essential in this debate that we do not lose sight of the distinction between legal and illegal migration. Successive Governments, including the previous Labour Government, have put in place what I would call a “compliant environment”—measures to tackle illegal migration—and this is a perfectly sensible approach to take. I will give some examples. The first NHS treatment charges for overseas visitors and illegal migrants were introduced in 1982, as were checks by employers on someone’s right to work in 1997, measures on access to benefits in 1999 and civil penalties for employing illegal migrants in 2008. More recent measures in the Immigration Acts 2014 and 2016, which were debated in this House at length, introduced checks by landlords before property is rented out and checks by banks on account holders.

As I made clear in this House on my first day in this role and as I have just said, I do not believe that the term “hostile environment” is in tune with our values as a country. This is about having a compliant environment. Measures over many years to tackle illegal immigration are of course a good thing, and we stand by those measures. They are designed to ensure that work, benefits and services in the UK go only to those who have the right to access them, and that is what the public rightly expect the Government to do. We are protecting our public services, and taking action against rogue employers, landlords and organised crime groups who exploit vulnerable migrants and damage our communities. We carefully balance the need to tackle illegal immigration with the need to protect those who are here lawfully from unintended consequences.

Mr Marcus Jones: My right hon. Friend is making a very good speech, and I am glad that he has very clearly set out how we are going to put right this wrong and support those in the Windrush generation who are clearly British citizens and are here legally. Does he not agree that we must be very careful about the language we use in the House, because some of the language I have heard used by Opposition Members today is scaremongering and will lead to people affected by this scandal not coming forward to get the support they need and deserve?

Sajid Javid: My hon. Friend makes a good point. It is incumbent on every Member of this House, if we are all to be united in helping the people who have been affected by this situation, to be careful about the language that they use.

Recent events have shown that the safeguards we already have in place need to go further, so that is exactly what we are doing. For example, we have already put in place additional support for employers and landlords to safeguard members of the Windrush generation seeking jobs or rented accommodation. Updated guidance on gov.uk encourages employers and landlords to get in touch with the Home Office checking service if any Commonwealth citizen does not have the documents they need to demonstrate their status. The taskforce will contact the individual concerned to help them to prove their entitlement, and the employer or landlord will be issued with a positive notice.

My Department is working with other Departments and partner agencies from across the board to ensure that we have the relevant safeguards in place to prevent those from the Windrush generation from being denied the benefits and services to which they are perfectly entitled. Tomorrow, the Minister for Immigration will chair a cross-Government meeting to discuss this very matter with colleagues in more detail. We are also very conscious that ongoing immigration enforcement activity must not impact on people from the Windrush generation, and safeguards are being put in place to minimise such a risk.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Home Secretary has announced the additional safeguards he wants to put in place for the Windrush generation, but will he apply those safeguards more widely? In evidence to the Home Affairs Committee, we have heard that about 10% of the cases passed by the Home Office to banks are incorrect, and that the banks may therefore be taking action against people who are here legally because of errors by the Home Office. Will he put in place safeguards for everybody?

Sajid Javid: The right hon. Lady makes a very important point, and I am looking precisely at that. She used the example of banks that may be acting inappropriately or in error, perhaps through no fault of their own. I will look at that very carefully, and I will get back to her, because this is a very important issue and she is absolutely right to raise it.

I must now conclude to leave other Members enough time to speak in this debate. I am clear that all the measures I have outlined today will make a real difference. I will continue to assess what further action needs to be taken, because I know that I am not alone in this House when I say that this situation has made me angry. I know that I am not alone when I say that it is unacceptable that there are those from the Windrush generation who feel hurt and betrayed by the country they call home. That is why the measures we are taking, and will continue to take, are so vital. We must make sure that those affected get the support and attention that they so rightly deserve, so that something like this can never happen again.

Several hon. Members rose—
Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before we continue with the debate, I must announce the result of the deferred Division. In respect of the question relating to tribunals and inquiries, the Ayes were 315 and the Noes were 202, so the Ayes have it.

The Division list is published at the end of today’s debates.

Before I call the hon. and learned Member for Edinburgh South West (Joanna Cherry) on behalf of the Scottish National party, let me say that it is obvious that a great many people wish to speak this afternoon and, although we have a lot of time, the time available is limited, so there will be an immediate time limit of six minutes on Back-Bench speeches. [Interjection.] I do not know why there is always an exclamation of amazement. I cannot be the only person who can do the arithmetic. The time limit does not of course apply to Joanna Cherry.

3.30 pm

Joanna Cherry (Edinburgh South West) (SNP): Earlier this week, I welcomed the Home Secretary to his place and congratulated him on his appointment. I mentioned that it is a good thing he is the first BAME person to hold this great office of state, and I want to make it quite clear that the Scottish National party absolutely condemns any racist abuse he may have received from whatever quarter. As somebody who is on the receiving end of a daily diet of anti-Catholic and anti-gay abuse from the hard right in Scotland and across the UK, I know what it feels like to receive such abuse from whatever quarter, so he has my absolute support in resisting it. I thank the Home Secretary for his courtesy in explaining to me that he would not be able to stay for my speech because he has a very important Cabinet Committee meeting to attend. How much of us would love to be a fly on the wall in that meeting.

The right hon. Member for Hastings and Rye (Amber Rudd), for whom I have a lot of respect, resigned as Secretary of State for the Home Department on account of having misled Parliament about her knowledge of the removal targets, but nobody has as yet been held to account for the policies that led to the imposition of those removal targets and caused the Windrush scandal.

Others who have Windrush constituents will speak eloquently today about the details of their position. I want to speak about the real, underlying reasons why this scandal has occurred and to say to the new Home Secretary, as represented here by his Immigration Minister, that he will be judged by this Parliament, and by the public watching outwith this Parliament, on the degree to which he has the gumption to address the underlying causes of the Windrush scandal rather than just fiddle around with the outcome.

What has happened to the Windrush generation is not an accident, it is not a mistake, it is not an aberration and it is not the work of over-zealous Home Office officials. It is, in fact, the direct result of the Prime Minister’s imposition of a wholly unrealistic net migration target and of the contortions that have to be gone through to achieve that target, which, incidentally, has as yet not been achieved.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): There is another dimension to the hostile policy, which I have seen in fishing on the west coast. It is not directly impacting on Windrush, but it is a similar aspect of the mentality at the Home Office. For eight years, we have been waiting to get non-European economic area labour on board. Everybody wants the Home Office to give us a piece of paper that will keep the Home Office happy, but we just cannot get it. That is symptomatic of the Home Office that has led to Windrush.

Joanna Cherry: I wholly agree with my hon. Friend. There are many people in the United Kingdom at the moment who make a great contribution to our society, but who are being made to feel very unwelcome at best and are being deported at worst, simply because they cannot evidence their right to be here.

These people have come to light as a result of another policy of the Prime Minister’s—the hostile environment policy, which is a racist policy. I say that quite clearly: it is racist. When people of a certain ethnic background, or with a name that does not look British, apply for a tenancy or a job, that is when they come to light, and that is when suspicion falls upon them. It is absolutely disgraceful. That is why, at Prime Minister’s questions this morning, despite the howls of derision from Conservative Members, I asked the Prime Minister to apologise for the policies that have caused this. I am still waiting for that apology, and I will be asking for it constantly. Policy has caused this problem, not mistakes—not mistakes by officials and not even mistakes by politicians. It is the direct imposition of policy that has caused this problem.

Lyn Brown (West Ham) (Lab): Does the hon. and learned Lady not agree that the Home Secretary must look at the issue of bonuses, because they create a culture? The buck stops at his door.

Joanna Cherry: It is absolutely astonishing that people should be given bonuses for the number of people they can boot out of the country. It is disgusting. What has the United Kingdom come to? I may be a Scottish nationalist, but I also consider myself British, and there are many aspects of the UK—[Interjection.] Yes, I am. Actually, I am half Irish as well—thank God, because I am getting an Irish passport. I am not one of those people who says the UK has never done anything good, but by God is this a smear on the UK’s reputation across the world.

Two weeks ago, the Prime Minister would not even speak to the heads of delegations from the Commonwealth about this issue; she thought she could get it swept under the carpet. Then she thought she could use the right hon. Member for Hastings and Rye as her human shield. That did not work either. She thought she could come to the House this morning and get off the hook. Well, she is not off the hook. She needs to answer for the policies that have caused this problem.

We are hearing a lot today about how the Windrush generation will be sorted out. The previous Home Secretary gave us an undertaking that there would not be any more enforcement action against the Windrush generation. However, my question to the Home Secretary is this: if he cannot get the Windrush generation, which vulnerable group is he going to go after next to meet his targets?

Mike Gapes (Ilford South) (Lab/Co-op): Has the hon. and learned Lady seen the Financial Times today? There is an article about the test of English for international
communication, which reveals that 35,000 people have had their status as students in this country revoked. In 20% of those cases, that was based on a system of voice recognition that has proved to be faulty. An estimated 7,000 Bangladeshi, Indian and other students, including my constituents, have been removed from this country, or are at the threat of removal at this moment, because of a policy introduced in 2014 by the then Home Secretary —now the Prime Minister.

Joanna Cherry: The hon. Gentleman is describing the results of this policy. The Government and the Home Office have to go after low-hanging fruit. They went after the Windrush generation, but they have been called out on that and they are embarrassed—hence all the shouting, the spurious points of order and the attempts to shut us up for calling them out.

Patrick Grady (Glasgow North) (SNP): My hon. and learned Friend is making absolutely important points. This point about other vulnerable communities is hugely important, because more and more is coming to light. Does she agree that, in the light of the Windrush scandal, now is the opportunity for the UK Government to regularise the status of the Chagos islanders, who were forced off their land by the British state in the 1960s and 1970s? The second and third generations here are being denied British citizenship. This is an opportunity for the UK Government to put that injustice, along with so many others, right.

Joanna Cherry: I entirely agree with my hon. Friend. As I said earlier this week, and as I will be repeating this afternoon, what we need now is a root and branch review of the Prime Minister's immigration policies, because they are not working—the Home Affairs Committee has heard evidence that they are not even working according to the Government's internal tenets.

Sir Edward Davey (Kingston and Surbiton) (LD): The hon. and learned Lady is making a powerful case that the Prime Minister has many questions to answer. One of the key questions she needs to answer is: when was she told about the problems facing the Windrush generation? Was it when she was Home Secretary or Prime Minister? If it was when she was Home Secretary, she has many more questions to answer.

Joanna Cherry: The Prime Minister does have many questions to answer. My hon. Friend the Member for Airdrie and Shotts (Neil Gray), as he said in a point of order, has laid down many written questions, which have yet to be answered. I suspect that the answers will be deeply embarrassing for the Government, and that is why those questions have not been answered.

I congratulate the official Opposition on having secured this debate on the Windrush scandal, but I make no apology for looking at the underlying reasons for it. I am afraid to say that they do not lie just with those on the Government Benches. There has been some unfortunate rhetoric from elements in the Labour party in the past. I realise that the Labour party is probably under new management now, and some of the new management had the gumption to vote with the SNP against the 2014 Immigration Bill. What I am trying to say is that a rather toxic rhetoric has grown up around immigration in both the Labour party and the Conservative party. It was, of course, Gordon Brown who famously spoke about British jobs for British workers, which the previous Home Secretary enthusiastically picked up on in a speech at the Tory party conference, promising tougher rules for foreign workers coming to Britain and taking our jobs. She suggested in an accompanying briefing that firms could be asked to publish lists of foreign workers. What kind of a union of nations are we becoming when it is seriously being contemplated that that sort of thing should happen?

Anna Soubry: The hon. and learned Lady is being very good in giving way. I agree with much of what she says, but she said that the Government “went after” the Windrush generation. The whole thing is a scandal, but would she agree that nobody has deliberately gone after the Windrush generation? She is right about a culture—I will dwell on that in my speech—but nobody has deliberately gone after the Windrush generation.

Joanna Cherry: I am sorry. Over recent months, I have found much about which the right hon. Lady and I can agree, but I cannot agree with her on that one. It was deliberate. There were targets; they were necessary to realise the Prime Minister's policies. Until Conservative Members wake up to that fact and accept it, nothing will change.

As I said, the SNP position is that there should be a root and branch review of immigration policy and of the 2014 and 2016 Acts, and that review should be based on evidence—not on ideology and not on the need to blame somebody else for our problems. I say that because I have noticed since I have been a Member of this House that there is a tendency on the Government Benches to blame difficulties with public services in England and difficulties with the infrastructure in England on immigrants. In actual fact, the reasons—

Bim Afolami (Hitchin and Harpenden) (Con): Will the hon. and learned Lady give way?

Joanna Cherry: No, I will not give way. I want to finish my point—[Interruption.]

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. and learned Lady will finish her point. She will be heard.

Joanna Cherry: Thank you very much, Madam Deputy Speaker. Earlier today I was shouted down in this House and I have received an overwhelming number of messages from members of the public, and from some journalists, about how disgraceful that was. Many of them were not SNP supporters. I am very grateful to you for defending me.

My point is this: when somebody in England cannot find a home it is not because there are too many immigrants; it is because the Conservative party has not built any social housing. When somebody in England cannot get an NHS appointment or has to wait a ridiculously long time at accident and emergency, it is not the fault of immigrants; it is the fault of the Conservative party's austerity policies. My goodness,
earlier this week we heard that the Prime Minister would not even agree to pleas from her own Cabinet Ministers to let foreign doctors in to fill vacancies in the NHS. That is shocking.

Bim Afolami: The hon. and learned Lady said that there was a tendency by Conservative Members to blame the problems of the NHS or housing on immigrants. Will she please set out precisely to which speech of which person on this side of the House she is referring?

Joanna Cherry: That is a good try, but this is nothing I thought up on the way into the Chamber. The toxic rhetoric around immigration in the United Kingdom is very well known. It is one of the reasons why there was a leave vote in 2016. Those on the Conservative Benches blamed immigrants rather than their austerity policies for the problems—[Interruption.]

I am calling for an evidence-based review of immigration policy. [Interruption.] I will very happily give evidence. [Interruption.] If I am allowed to speak, I will give Conservative Members some evidence. [Interruption.]

Madam Deputy Speaker (Mrs Eleanor Laing): Order. There is clearly disagreement about a particular point. That is why we have debates. The way in which we deal with disagreement is that one person puts their point of view and then a few minutes later someone else puts their point of view, but everybody must be heard and have their turn.

Joanna Cherry: I am very grateful to you, Madam Deputy Speaker.

The evidence has been heard over a period of years by the Home Affairs Committee, the Exiting the European Union Committee, on which I sit, and the Scottish Affairs Committee. The weight of the evidence is that, in reality, immigrants are on average more likely to be in work, more likely to be better educated and more likely to be younger than the indigenous population. The overwhelming weight of the evidence heard by the Exiting the European Union Committee is that immigration is a net benefit to the United Kingdom. The director general of the CBI, no less—normally a great chum of Conservative Members—has called for an immigration policy that puts people first, not numbers. The CBI wants an evidence-based immigration policy, the Scottish Trades Union Council wants an evidence-based immigration policy and that is what the SNP wants.

In Scotland, historically our problem has been emigration—people leaving Scotland—rather than people coming into Scotland. By 2024—I am calling for the Home Secretary to do things differently from how they have been done before. He said that he does not want to use the phrase “hostile environment” any longer and I have heard people talking about a compliant environment. I would say to him that it is not the language that we need to change—although that would help—but the underlying policies. We need an immigration policy that works for the whole of the UK, taking into account national and regional differences. We need an immigration policy that works to the benefit of the economy and to the benefit of society.

We have heard a lot of Conservative Members challenge the Labour party, the SNP and other Opposition parties by saying, “What would you do about illegal immigration?” What I would say is that every country has to have a sensible system of immigration control, but it needs to operate in line with the law, it needs to be just and fair, it needs to be human rights compliant and it needs to take cognisance of the rule of law. We do not have a system like that in the UK at the moment.

Any Member who holds constituency surgeries can provide examples of constituents who have been treated unfairly by the Home Office. The auditor has pointed out that the Home Office makes an awful lot of mistakes: it is a very poor performing Government Department. We know that 50% of appeals are successful. We also know that, thanks to the Prime Minister, most people are bounced out of the country before they can actually make an appeal. To my mind, that is contrary to the rule of law.

The problem is that we have a system that has elided the difference between legal and illegal immigration. We have constituents who come to our surgeries whose husbands and wives are not able to remain in the United Kingdom. My constituency has a Kurdish community centre. I have numerous examples of members of the Kurdish nation—people who have stood up for Britain, fought alongside the British Army, worked as interpreters and so on—who came here expecting to receive a welcome but have been treated as illegals. There is something wrong with our policy and I am not afraid to say that I think it is morally wrong.

United Kingdom immigration policy has gone off the tracks. We need to acknowledge our mistake and introduce an evidence-based ethical immigration policy. Conservative Members shout about evidence and examples. There is a huge weight of evidence that a devolved differential system of immigration could work across the United Kingdom. That evidence has been given to the Scottish Affairs Committee and, in very detailed submissions, by my colleagues in the Scottish Government to the Migration Advisory Committee.

Let us have the guts to admit that the Windrush scandal is not just a mistake or an aberration. It is the result of policies that are wrong. Let us change the names of those policies, let us change the policies and let us have an apology from the Prime Minister.
Accordingly to ensure that this or similar situations are not allowed to happen again, the Home Secretary has recognised the need to establish a dedicated taskforce to work closely with him on the Government side of the House.

I am pleased that the Children's Commissioner for England has already started to work with the Windrush taskforce to ensure that the interests of children are not overlooked.

I turn briefly to the situation of EU nationals, because it is important for the Home Office to recognise one administrative problem with processes that would not want to develop. There is an oddity for children of EU nationals born in the United Kingdom between 2000 and 2006, in that they have to await their parents obtaining permanent residency in order to naturalise. I know that the Immigration Minister is looking carefully at the new settled status rules, but I ask her to look carefully at that issue to ensure that the Home Office adopts the right culture so that the documentation required for that category of EU nationals is appropriately obtained, with minimal delay and minimal inconvenience to them.

In closing, it is especially welcome to hear the Secretary of State's assurances that the Windrush generation affected, who have given so much to our country, will be able to acquire their deserved legal status at no cost in an efficient and quick manner. Similarly and equally importantly, I am pleased that the children of the Windrush generation, who in most cases are already British citizens, will also be able to naturalise at no further cost, further enshrining the rights of the Windrush generation for years to come.

I welcome the change in tone and approach that my right hon. Friend has taken in his brief time as Home Secretary. Recent events demonstrate the need for a human face as to how our immigration system works, as well as the need for exercising greater judgment when and where it is justified, and I firmly believe that the Secretary of State fits that profile well. As such, I very much look forward to working closely with him on the Government side of the House.

I am pleased that the Home Secretary has recognised that when people have suffered loss, they will be appropriately compensated. As a former lawyer in the Treasury Solicitor's Department, I had the privilege of representing former Secretary of State Lord Brittan in litigation. I am all too aware of the litigious actions, some of which are entirely justified, that are brought against them in terms of unlawful detention and similar issues. I strongly encourage the Immigration Minister, who I am sure has already done so, to speak to colleagues in the Government Legal Department and ensure that the appropriate teams are in place to help those from the Windrush generation to obtain appropriate compensation, as outlined by the Home Secretary.

I especially welcome the setting up of a dedicated team to work with Government Departments, such as Her Majesty's Revenue and Customs and the Department for Work and Pensions. I understand that this new team will include a dedicated point of contact and will aim to resolve most cases within two weeks. This is indeed welcome news. I am also pleased that the Home Office has recognised the circumstances in which some former Commonwealth citizens have been wrongly subjected to removal and detention. Of course that is entirely unacceptable, but I am satisfied by the Home Secretary's comments that departmental processes will be amended accordingly to ensure that this or similar situations never happen again.
Jeremy Quin: The right hon. Lady served with distinction in former Administrations. Does she share my concern that this is a very wide-ranging motion? It lists papers provided to Ministers covering a huge area of policy. It appears to cover minutes of a Cabinet Sub-Committee and discussions about our relationships with other independent states. This very wide-ranging motion goes well beyond what its mover set out as information she required. What are the right hon. Lady’s thoughts on that as a former Minister advised by civil servants?

Yvette Cooper: I am going to repeat what I said: our Select Committee has not had a chance to discuss this, but clearly we would be the recipients of the papers, if the motion were agreed to. It is for the House to debate the motion and for the Select Committee to decide how to respond, which we would do responsibly, as other Select Committees have done.

Douglas Ross (Moray) (Con): The right hon. Lady and I both serve on the Home Affairs Committee. Does she share my concerns about the Labour motion? As Chair of the Committee, she has requested significant information on our behalf from the previous and current Home Secretaries, which will be forthcoming, so I wonder why Labour is asking for even more. Did the Labour Front-Bench team discuss with her what information she had requested on the Committee’s behalf before tabling the motion?

Yvette Cooper: The hon. Gentleman is right that we have requested a huge amount of information, and we will continue to do so, because we must continue our work on the Select Committee, which is separate from any decision the House makes. As he also makes clear, individual Committee members may take different views in this debate.

I want to pursue some important issues around the Windrush scandal. The Select Committee wants to know about the review the Home Secretary has announced. Who will it be done by? I would have concerns were it to be done by a Home Office official, given the concerns and questions raised by the targets and bonuses, which might have involved even the most senior of Home Office officials. We look forward to receiving more information on that, as well as on how the taskforce will respond, on the legal framework that will now cover the Windrush generation, on the compensation framework, and on other matters too.

I am concerned about our conflating the debate on the Windrush generation with the wider questions of illegal immigration. We all agree, I think, that the Windrush generation are here legally—they are British citizens. I also question the idea that the only problem is with a group of people who, because they did not get the right papers in 1973, have inadvertently ended up in the illegal immigration system, rather than the legal immigration system; there are, I believe, wider issues, based on evidence we have taken. The problem is that our immigration system does not have a good enough process for resolving who is here legally and who is here illegally. It is a system that makes too many mistakes, as has been highlighted in our Committee reports, in the inspectorate’s reports, and in our recommendations.

The problem is that when people do not fit into the boxes, the system does not help them. Too often, it spits them out. As we said in one of our recent reports, “urgent action is needed to address errors in the enforcement process.” I hope that the Home Office will respond to our recommendations.

In cases in which appeals are still in place, half of them go against the Government because the Home Office has got it wrong, but in many cases there are no safeguards, independent checks or appeals. We heard last week that when people apply for “no time limit”, as many of the Windrush families may have done, there is no way of appealing if the system gets things wrong, even if it is the Home Office that has screwed up or there has been some other error in the system.

We also know that there are problems with the burden of proof. A letter from a Home Office Minister explained that Mr Trevor Johnson’s application had been turned down because “He has...been unable to demonstrate that he has been continuously resident in the UK for the years 1989 to 1990, 1994 to 1995 and 1997 to 1998.” That means that he had provided proof of his residence for the remaining 45 years, but not for those three years. I could not give four pieces of proof of where I was in 1989 or 1994. I hope that the Home Secretary will now address that issue of the burden of proof.

The system is also terribly complicated, and no legal aid is available. It is impossible for those who struggle with literacy or mental health problems to navigate. It is also hugely expensive, and too often penalises people for simple mistakes. It was reported in The Daily Telegraph today that 600 highly skilled doctors, engineers and IT professionals who may have been here for many years are being denied leave to remain because of minor errors in their tax returns. I hope the Home Office will take that up, because it obviously extends beyond the Windrush generation.

There are also the questions about targets and the way in which they have operated. All Departments have targets, such as key performance indicators, but the problem in this instance is the absence of safeguards or independent checks to prevent the targets from distorting individual decisions. That is how injustices arise. Underlying all this has been the overall net migration target, which our Committee’s report recommended should be replaced. It includes emigration as well as immigration, it includes people who are here legally as well as those who are here illegally, and it gives the Home Office as a whole an incentive to encourage people to leave whether they are here legally or not.

If something is to come out of this awful case, it must be this: we value and support the commitment of the Windrush generation, but we must also look much more widely throughout the immigration system at the things going wrong. An immigration system is crucial to any country’s national identity. We believe that we are a fair country and a humane country, and we must ensure that those values are part of our immigration system.

3.43 pm

Anna Soubry (Broxtowe) (Con): It is an absolute pleasure to follow the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper). I agreed with everything she said. I will not be voting for the motion, for what I suggest to the House is a very good reason: under the stewardship and chairmanship of the
right hon. Lady, we can be absolutely certain that there will be exactly the sort of full inquiry that should take place, with a proper request for the disclosure of documents that will be relevant to that inquiry.

This is a fishing expedition the likes of which I have never seen before. It extends much too far. I was a Minister in three Departments, and I know that it is imperative for civil servants to be able to give robust, open advice to Ministers which would not be shared with others because of its nature. It is also important for Ministers to be able to exchange texts—and we should dig deep into the text in the motion to see the full extent of what would be disclosed, including texts between Ministers and Secretaries of State. That would be ludicrous and it would be bad for government.

Jeremy Quin: I share absolutely my right hon. Friend’s concerns about what this does in terms of the relationship between Ministers and civil servants. Does she share my concern that when this information—policy advice—is put out into the public domain those very civil servants who have done their best to serve Ministers have no means to defend themselves in public and to explain what they were intending?

Anna Soubry: Absolutely, and it is imperative that we remember that, with very few, if any, exceptions, civil servants are some of the most outstanding workers in our country. It is too easy to slag them off but we should remember not only their quality, but the fact that often they cannot speak out and defend themselves. Therefore, I agree with my right hon. Friend the Member for Putney (Justine Greening) that the Opposition motion really is not good enough. It is about process and procedure and it does not see people. That is what I want to address my comments to.

The right hon. Member for Normanton, Pontefract and Castleford was absolutely right when she said that the Windrush scandal has brought great shame on our nation, but some good has come out of this terrible episode in our country’s history. People are now at last seeing immigrants as people—as people just like them. They are neighbours. They are people who have come to our country to work and to do the right things. They have often worked in the most outstandingly contributing jobs in our economy and society. They are just like everybody else. They are not numbers; they are real human beings. I think we are already beginning to see a change in some of the opinion polls: thankfully, immigration is now going down the list of priorities as people realise that it is not some corrosive problem, but actually a wonderful, beneficial thing that has occurred in our country for centuries.

The Opposition should have used this opportunity today to talk about the positive benefits that immigration has brought to our country over centuries. Opinion is shifting. My right hon. Friend the Member for West Dorset (Sir Oliver Letwin) was on the television and radio the other night saying very openly and bluntly that for too long in my party we have not talked about the positive benefits of immigration. I will go further and say that that has occurred in both our main parties: for too long we have shovelled this away and not talked about it, or we have kowtowed to people when we should not have done and we should have stood up for immigration and all the huge benefits it conveys.

I want to say to hon. Members in the Labour party and in the SNP—I have a lot of time for the hon. and learned Member for Edinburgh South West (Joanna Cherry)—something about the level of offence. I apologise for being cross and angry sitting on these Back Benches, but I do get cross and I do get angry at some of the comments and slurs that have been made. The idea that there are people on these Benches who have done the wrong thing and said the wrong thing—of course there will always be people who do not always get the right argument, but it is wrong to cast that aspersion. The hon. Member for North West Durham (Laura Pidcock) shakes her head, but she should tread very carefully. I am old enough to remember as a Conservative being a proud member of the Anti-Nazi League, going on the streets—I say listen for once. I remember going on the streets of Birmingham and standing shoulder to shoulder—

Lyn Brown: Will the right hon. Lady give way?

Anna Soubry: In a moment; I always give way to the hon. Lady.

I remember standing proudly with members of all political parties, every shade of Trotskyist, communist, broad left, far left, liberals and other Tories. The huge change that has happened in our society is that members of the hard left who shout from sedentary positions have forgotten all that and engage at the level of tribalism on issues that should unite us. That does them and our country a great disservice.

Lyn Brown: And now I will take the extra minute.

Lyn Brown: I want to bring the right hon. Lady back to today’s debate and read to her from a message that the Joint Council for the Welfare of Immigrants has placed in my inbox:

“Nothing that the government has announced today in parliament will address the root causes of the Windrush scandal—namely the ‘hostile environment’ policy. Hostility is still very much in play, the government still plans to roll Right to Rent out further to Scotland, Wales and Northern Ireland”.

I really do respect the right hon. Lady, but may I suggest to her that she should understand why we are pressing for a vote tonight and join us in the Lobby to tell her Government how she truly feels?

Anna Soubry: I thank the hon. Lady, but that is not what this motion addresses. It is a bureaucratic, procedural thing. If it had espoused her very good arguments, I would not have any trouble with it, because I want to see change and I absolutely agree with her.

I have been saying to the House for I do not know how long since the Windrush scandal broke that the problem runs deep into the policy. The right hon. Member for Normanton, Pontefract and Castleford, who chairs the Select Committee, made the point that the policy basically sees everybody as an illegal immigrant. The default position is that people have to prove they are here legally. This shift in responsibility—this shift in the onus of proof—is anti-British and fundamentally wrong. I said the other day that we should perhaps go back to a
I have to reduce the time limit to five minutes.

People like Bernie are now being threatened with deportation. That is the whole point about this scandal. I am dealing with between 30 and 40 cases in my constituency. I have a big Windrush community. As a proportion, I am dealing with a very large number of cases. These are people who have been threatened with deportation, and I will give two brief examples. The first is a woman, and she is a classic Windrush baby case. She came to Britain as a baby in the 1960s, and she cannot remember Jamaica, which is where she was born. She has a broad east London accent, and it is pretty obvious that she is as quintessentially British and a Londoner as anyone else, yet when she went to apply for a passport for the first time in her life, having brought up a family and worked here for all these years, she was told not only that she could not have a passport but that she was going to be deported back to Jamaica. As she said, it is a country that she cannot remember.

Ellie Reeves (Lewisham West and Penge) (Lab): Will my hon. Friend give way?

John Cryer: I can’t really say no, can I?

Ellie Reeves: I thank my hon. Friend for giving way. A constituent of mine who came to Britain as a child in 1972 was recently detained upon his return from Jamaica after visiting his father, who has dementia. He told me about his humiliation and that he has had no recourse to public funds since then. He now cannot visit his father again for fear of being detained. Does my hon. Friend agree that that is a travesty and that my constituent, along with his, should be afforded the same rights as every other British citizen without further delay?

John Cryer: Of course, I agree.

My second example is more unusual and involves a woman who came from Jamaica when she was a baby. She was abandoned by her parents and grew up in a nunnery, which—Members can tell what is coming—was closed down and demolished after she left, and its records were lost. Again, this is somebody with a broad east London accent. She is quintessentially British and has the right to stay here, but she was told, after she had been through all that, “We’re going to deport you.” That is the sort of culture that we are dealing with at the Home Office, and I suspect that it goes across Government, which I will come to in a minute.

Mr John Baron (Basildon and Billericay) (Con): I actually agree with the hon. Gentleman. There are aspects of this case that are deeply concerning, and I hope that the Government learn from it. May I suggest that, at the end of the day, we have to protect Government records and civil servants’ advice to Governments to ensure that civil servants can give advice with candour? Given that we will have an inquiry, which we all hope will go to the heart of the matter, we should look to it to take the issue back to where it began, which was before 2010.

John Cryer: I agree with the hon. Gentleman about the inquiry, but this is an issue of transparency. He and I agree about an awful lot of things, but we are on...
opposite sides of the fence here. The documents should be put in the public domain. We can redact certain things, such as civil servants’ names, but the names of elected people should not be redacted.

Both the cases that I mentioned earlier resulted in victories, but I am dealing with many other cases. Over the past two or three years—this goes back a long way—I have spent an awful lot of time writing to schools, former employers, colleges and the police. In one case I even had to write to the Army to try to check the records to prove that people who had every right to be here could assume that right.

This country has close ties with the Caribbean and with other Commonwealth countries, and we should bear in mind that this debate will be watched across the Commonwealth. Thousands of people will be watching us in countries such as Jamaica, India and Pakistan. Those close ties with the Commonwealth, and with the Caribbean in particular, have their roots in an appalling institution: the empire. It was built on piracy and slavery, but nevertheless the one good thing to come out of that poisonous institution was the Commonwealth, which has always given relatively small countries, often with little political and economic clout, a platform for their voices to be heard, especially here and particularly at the Commonwealth Heads of Government meetings.

After the war, a series of Governments in this country and in others worked to foster the bonds with the Commonwealth, but those bonds have now been loosened. It is not simply that communities in this country have been given cause to fear what might happen, which is bad enough; we have also undermined relationships with countries across the globe. I never thought I would see the Prime Minister of Jamaica standing in Downing Street, expressing his dismay at the British Government and their policies. That goes way beyond what any previous Jamaican Prime Minister has said, and previous Prime Ministers were fairly critical—I am thinking of Michael Manley and his father Norman. Nobody has expressed such sentiments in the heart of the capital. It was built on piracy and slavery, but nevertheless the one good thing to come out of that poisonous institution was the Commonwealth, which has always given relatively small countries, often with little political and economic clout, a platform for their voices to be heard, especially here and particularly at the Commonwealth Heads of Government meetings.

The hon. Member for Leyton and Wanstead (John Cryer) mentioned some harrowing individual cases, and I have heard of other cases, not of constituents but of people in other parts of the capital. I have seen that this has caused a lot of heartache, and it is a very serious issue.

I feel, and many people feel, that the way this issue has been politicised is regrettable. There is a suspicion that the entire Labour party—many Labour Members have been very honest, capable and sincere in their approach to this problem—but a number of people in it have tried to score political points on a national scandal. I say that because I cannot remember an occasion during my eight years in the House on which both the Prime Minister and the Home Secretary have issued full apologies for the treatment of British citizens—I cannot remember that happening.

Marsha De Cordova (Battersea) (Lab): The hon. Gentleman says we are politicising the issue. It is fine for the Prime Minister and the Home Secretary to apologise, but to address this they need to get rid of their hostile environment policy.

Kwasi Kwarteng: I will come to that later in my speech.

Paul Masterton (East Renfrewshire) (Con): Will my hon. Friend give way?

Kwasi Kwarteng: Forgive me, but can I make a little progress?

With respect to the intervention by the hon. Member for Battersea (Marsha De Cordova), not only did the former Home Secretary apologise but she resigned over the issue. That is a significant event. It is rare in our politics today that Ministers pay the ultimate price and resign, and that is what has happened.

There is a great deal of contrition, and there have been apologies. Not only that, but a helpline has been put in place to make it as easy as possible for people to find the right documentation. We have also heard about a policy to compensate people who have suffered the excesses of the Home Office. There has been plenty of policy and plenty of speeches, announcements and contrition on the part of the governing party.

I am not suggesting that every Labour Member is exploiting this issue for political ends—I do not believe that at all. I have heard many compelling and sincere speeches, but there is a suspicion that one or two Labour Members are doing so.

Hannah Bardell (Livingston) (SNP): I take on board the hon. Gentleman’s points about contrition and about the resignation of the former Home Secretary, but surely the issue is the underlying immigration policies—the hostile environment. Can he enlighten us as to whether he and his Back-Bench colleagues challenged some of those policies? He is a Conservative Member and his party is in government. What did he and his colleagues do? I am sure that, like the rest of us, his mailbox is full of constituency cases of people who are being treated in a hostile manner.

Kwasi Kwarteng: It is no secret that the issue of immigration has been a matter of huge debate within the Conservative party. There is a wide range of opinions on the issue on the Government side of the House,
just as there is on the Opposition side of the House. It is an issue on which both sides of the House are divided. Some Government Members want a very open, comprehensive, almost laissez-faire approach to immigration; others want to be more restrictive.

Anna Soubry: It should be put on the record that many of us who were elected in 2010, with the change of government, noticed that under the previous Government there had also been big problems in the Home Office in getting on and doing the right thing in relation to all manner of things—visas, applications and so on. This was nothing new under the Conservative Government.

Kwasi Kwarteng: My right hon. Friend makes an excellent point. Both sides of the House were complicit in this issue. Members have mentioned the Labour Government and a former Labour Prime Minister who suggested that British jobs should be restricted to British workers. If he had been a Conservative Prime Minister, that comment would have caused outrage and would have been widely regarded as a disgraceful comment. That was the environment in which many of us operated when we were elected in 2010. All of us have to take some degree of responsibility for this.

In my closing remarks, I want to talk about something that has been mentioned: illegal immigration. Many Opposition Members have suggested that Conservative Members were trying to conflate illegal immigration with legal immigration. We were doing the opposite; everyone said, categorically, that the Windrush generation had an incontestable right to stay in Britain, as they are British. No one on this side of the House has ever questioned their legal status. What we have said is that we need a strong policy on illegal immigration—after all, it is against the law. It is a principal job of Government to uphold the law, so any Government, of whatever stripe, would need robust and strong policies to counter illegal immigration. People should not be embarrassed about that, as we are talking about the job of Government. Many millions of people who live in this country—probably the vast majority of our constituents—would expect a rules-based system to regulate how one comes into the country.

Alex Chalk (Cheltenham) (Con): Does my hon. Friend agree that those with some of the loudest and most articulate voices in favour of a robust and fair approach are people who have come to this country and played by the rules in the first place?

Kwasi Kwarteng: I completely agree with my hon. Friend. I suggest we take a much more rounded approach to the issue. There is blame on both sides. I cannot condone what my Government have done in the past on Windrush, and I sincerely hope and pray that our performance is much better on this issue in the future, because the Government will ultimately be judged on how we resolve it. The whole country, like others across the world in the Commonwealth, is looking at us, and we have to acquit ourselves with dignity and competence.

4.7 pm

Shabana Mahmood (Birmingham, Ladywood) (Lab): I am grateful to the hon. Gentleman for making that point, but as we all know in this place, there are always the usual channels for discussions to be had, and if there was ever a moment for the usual channels and for discussions to be had, I would say that in resolving this most important national matter, this would be the time. It is open to the Government at any point to work with those of us who want the paperwork released, so that we can get to the bottom of what happened and truly learn lessons, and move forward in a way that would honour the Windrush generation and put right what they have suffered. That is what needs to happen.

I welcome the move today to provide legal certainty about how the Windrush generation will be treated in their future applications, but I ask Home Office Ministers to consider giving those citizens access to legal aid and good-quality legal advice as they try to regularise their status. I say that because the absence of legal aid has pushed people towards rapacious and terrible solicitors who give bad advice, and because simply saying, “We have put this on a legal footing and now you can trust the Home Office,” is not enough for people who are still too scared to come forward. The Government have lost the trust of a generation. I know people who, despite my personal assurances, are still too afraid to come forward. A simple legal and legislative change will not be enough. They need access to independent legal advice, and they need financial help for the purpose.

I shall make a couple of general remarks on illegal immigration. Some Conservative Members attempted to ask the Opposition, “What would you do about illegal immigration?” We dishonour the Windrush
generation if we make this a debate about illegal immigration, and if we miss the point about the culture of disbelief that fuels the hostile environment, which, as the scandal has shown, sits at the heart of what has happened. It is that culture of disbelief that renders British citizens and British nationals as if they were not just immigrants but illegal too. It visits upon them the ignominy and humiliation of being deemed illegal in their own land. That assumption, which is made at the heart of our system, does not simply go after illegal immigrants; as we have said, it goes after those of us who look like we could be immigrants. We have talked a lot about illegal immigration sitting at the heart of this debate, but what we are not talking about so much is race.

I say to hon. Members who do not quite understand how these policies impact on their fellow citizens and their fellow British nationals: try making an application to the Home Office while having a name that is demonstrably African in origin. Try making an application, as a British national, to the Home Office with a name that is demonstrably south Asian in origin. I promise that the protection of a British passport will not help one little bit. People will have visited upon them casual humiliation upon humiliation. The system will treat them as if they were dirt on the bottom of its shoe, and that is not good enough.

That happens to British nationals on a daily basis when they apply for visitor visas or spousal visas. If they can get past the income threshold and prove the legitimacy of their love for somebody they fallen in love with and married, the system still makes them take a DNA test to prove that a child who might have been born while they visited their foreign-based spouse is in fact their child. That is not acceptable in 21st-century Britain. I say to Government Members: do not be complacent about what your system is doing on a daily basis to people who have the protection of a British passport. If you are in any doubt, come to see me in my constituency, which is 70% non-white. I have one of the highest immigration caseloads in this country and I see people being refused visas, and dealt with, and dealt with properly. I do not want anybody to be worrying about this for any longer than is necessary.

When the statement was made last week, I pushed the former Home Secretary on the two-week target. She was confident that it would hold, which is really important. I will certainly be monitoring progress against that.

I also welcome what my right hon. Friend the Home Secretary had to say today about the new measures around transparency that he is going to introduce. He is already managing to get to the truth. I welcome the fact that the Home Affairs Committee is going to be getting the information that it has requested, and when we look at my right hon. Friend’s record, certainly in dealing with the Grenfell issue, we can see that he has been incredibly sympathetic, incredibly thorough and always incredibly forthcoming in dealing with the issues—not just those raised by Members of the House, but those raised by the survivors. That is absolutely right, and I know that he will pursue this with vigour, robustly and thoroughly.

The truth is that the motion will do absolutely nothing to help any of that. This is a procedural motion. I wanted to intervene on the right hon. Member for Hackney North and Stoke Newington (Ms Abbott), the shadow Home Secretary, to make the point that if we are serious about this, why refer to the date May 2010? The fact that certain policies were enacted under the last Labour Government has been well documented in the media, so why are Labour Members not interested in getting to grips with the information from before that date? It would have been a much more genuine attempt had that been the case.

I take great offence at any suggestion that not all Members of the House are concerned about this issue or that not all Members take the matter incredibly seriously or want it resolved as quickly as possible. I do not think that anybody would say that something has not gone seriously wrong here—it is impossible to deny that something has gone seriously wrong—but I agree with my right hon. Friend the Member for Broxtowe (Anna Soubry) that nobody has set about deliberately targeting the Windrush generation. Again, it is wrong to give the impression that that is the case, and I take issue with it.

It is right, therefore, that a full and frank apology is made, and we have seen a full and frank apology made on numerous occasions. What matters more than any of that, though, is action. This is about speedy action being taken, which is why I welcome the package of measures announced by Ministers in recent days, because they are comprehensive.

Having had constituents contact me who are concerned that they have been affected by this issue, my experience as a constituency MP is that they have been dealt with thoroughly and speedily to reach a resolution in their case. I have seen a system that has been put in place being responsive to dealing with these cases. Of course, this should never have happened, but these cases have been dealt with in a way that I would like them to be dealt with, and dealt with properly. I do not want anybody to be worrying about this for any longer than is necessary.
Tom Pursglove: I agree with that analysis, and the approach that has been adopted is disappointing. It seems to me that Ministers are thoroughly engaging with the Home Affairs Committee anyway, and were engaging properly with the Committee before the motion was even tabled.

I want to touch on immigration policy and will start by saying that, of course—I have made this point previously and I make it again—the Windrush generation and members of that generation should never, ever have been caught up in the measures that have, in the end, affected them. I come at the issue of immigration policy as someone who campaigned in the referendum to leave and as someone who, yes, wants to see control, but also wants fairness in our immigration policy. I think fairness is the more important point.

If we asked my constituents in Corby and east Northamptonshire, they would say that a common-sense immigration policy is one that treats people equally, regardless of where they come from in the world, and treats people the same whether they come from the Caribbean, the subcontinent or the European Union. That is where I would like to get to at the end of this Brexit process. That is the immigration policy that I would like to see, obviously with a big consideration of the skills that are required in our economy as part of it.

But let me also say that we have to deal with illegal immigration robustly and properly. Of course we have to deal with it humanely and speedily, but the main reason we have to deal with it thoroughly, properly and robustly is that if we do not do so, it penalises those who come here legally, follow the rules and go through the right route.

To my mind, we must, first and foremost, put right what has gone wrong—no ifs, no buts. As one House, we should all be united in that resolve.

4.19 pm

Mr David Lammy (Tottenham) (Lab): At its heart this motion is about the hostile environment, and that is why so many of us are here this afternoon. The Home Secretary has committed himself to a “fair and humane” immigration policy. In my view, it is not possible to have a fair and humane immigration policy alongside the hostile environment. That is a paradox and a total contradiction in terms. He has said that he wants to move from a hostile environment to a compliant environment. Let us think about what compliant means.

Compliant means to obey rules to an excessive degree. Compliant means the action or fact of complying with a command. I say to the new Home Secretary: has he forgotten our history? I remind the House that I am here because you were there. I say “you” metaphorically. The Windrush generation are here because of slavery. The Windrush story is the story of British empire. And the Windrush community and its ancestors know what hostile and compliance mean. We know what compliance means. It is written deep into our souls and passed down from our ancestors. Slaves having to nod and smile when they were being whipped in a cotton field or a sugar cane field were compliant. Watching your partner being tied to a tree, beaten or raped on a plantation is compliance. Twelve million people being transported as slaves from Africa to the colonies is a compliant environment.

Kwasi Kwarteng: Will the right hon. Gentleman give way?

Mr Lammy: I will not.

Windrush citizens being abused, spat on and assaulted in the street but never once fighting back was a compliant environment. Black Britons being racially abused at work but never speaking up because they need to put food on the table know all about a compliant environment. Turning the other cheek when the National Front were marching through our streets was a compliant environment. Young black men being stopped and searched by the police, despite committing no crime and living in fear of the police, know what it is like to be in a compliant environment. And thank God that Doreen Lawrence defied that compliant environment.

Emma Reynolds (Wolverhampton North East) (Lab): As my right hon. Friend says, the terminology does not help. Does he agree that we also need a change of policy to get to the root causes of why this happened in the first place and to prevent it from happening again?

Mr Lammy: My hon. Friend is exactly right.

I want to make it absolutely clear that it is my view that this belief about a compliant environment goes all the way back to the Slavery Abolition Act 1833. This Parliament provided compensation, worth £17 billion today and paid for by the British taxpayer, to the 46,000 British slave owners for the loss of their property. The slaves got nothing. And now their descendants are being shackled and chained, dragged on to deportation flights and sent back across the same ocean that Britain took their ancestors from in slave ships centuries ago.

Stephen Doughty: As ever, my right hon. Friend is speaking with incredible words, as did my hon. Friend the Member for Birmingham, Ladywood (Shabana Mahmood). Was my right hon. Friend as shocked as I was yesterday to hear the new Home Secretary say that he was not aware of any cases of wrongful deportation? Many such cases have been raised in public, let alone the incidents of wrongful detention. I have a letter here from the Home Office that admits that one of my own constituents—a British citizen—was wrongfully deported. Is he surprised by that?

Mr Lammy: I am staggered by it because there are thousands of people in the Caribbean who have lost their jobs and livelihoods, and are desperate to get back to their loved ones. But we still have no numbers from this Government.

I stood in this place five years ago and warned about the impact of the hostile environment. I told the then Home Secretary that her Bill was a stain on our democracy. In recent weeks, we have seen how the Windrush scandal has become a stain on our democracy and on our national conscience. I warned about the impact of a policy that would take us back to the days of “No Irish, no blacks, no dogs.” I stood in this place five years ago and read from Magna Carta, the foundation of our democracy, which says:

“No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed and exiled…nor will we proceed with force against him…except by the lawful judgement of his equals or by the law of the land.”
Yvette Cooper:

Yesterday, in a Committee Room in the Palace of Westminster, we heard testimony from British citizens who have been seized and imprisoned, who have been stripped of their rights, who have been outlawed or exiled, and who have been treated like criminals in their own country. So I ask the Minister: how many more Windrush scandals do we need before this hostile environment, or indeed compliant environment, is scrapped? How many more injustices? How many more lives ruined? Because I will be back here in five years’ time if we continue down this road to great injustices in our own country.

In recent weeks, we have seen so many Government Ministers and Members of the House talk about the issue of illegal immigration, conflating illegal immigration and the Windrush crisis. This is symptomatic of the hostile environment and its corrosive impact. What we have seen in this House, with Members standing up to talk about illegal immigration, is a perfect metaphor for the hostile environment and how it works: a blurring of the lines between people who are here legally and illegal immigrants, scapegoating innocent people, and blaming immigrants for the failures of successive Governments. Toxic anti-immigrant rhetoric created the demand for the hostile environment. Then we got a divisive policy reinforced by politicians too cowardly to speak the truth.

Where does the hostile environment get us to? Let me continue down this road to great injustices in our own country. We have to ask ourselves whether documentation is virulent, or indeed compliant environment, is scrapped? How many more injustices? How many more lives ruined? Because I will be back here in five years’ time if we continue down this road to great injustices in our own country.

I am afraid that I will not take any interventions from the shadow Home Secretary, as she absolutely steadfastly refused to recognise the requests of any Conservative Members and did not give way in any way, shape or form. If she would like to take a bit of her own medicine—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The right hon. Member for Hackney North and Stoke Newington (Ms Abbott) is standing at the Dispatch Box, but the hon. Member for St Albans (Mrs Main) has said that she is not taking an intervention.

Yvette Cooper: I thank the hon. Lady for giving way. I gently point out to her that the point I made was that it was not a matter for the Select Committee, but a matter for the House, to make a decision on the motion, and that we would choose how to respond. Although we have put our own questions to the Home Office, most of them are still unanswered. Clearly she will have her own points to make, but I ask her not to pray in aid my arguments.

Madam Deputy Speaker (Mrs Eleanor Laing): Hon. Members: Hear, hear!

Mr Lammy: Will the hon. Lady give way?

Mrs Main: No, I will not give way on that point.

We need to look at the process and truly analyse it. Heartfelt apologies have been made, which is absolutely correct. Anyone whose life has been disrupted—I do not dispute that many have been—deserves that apology, but we need to look at how it went wrong and make sure that compensation, if appropriate, is given. No Conservative Members would say any differently. The people of this generation are here absolutely legally, and we need to ensure that their position is corrected, so that neither they nor their children or family in future have any of these issues.
However, the motion before us is about how much protection is given to the people who advise those in government. This wide-ranging text, mentioning Ministers, senior officials, special advisers and so on, makes such an onerous and invasive request. If this request was taken to the nth degree on every contentious topic—for example, the invasion of Iraq—where would it end? How can a Government get the information they need and think outside the box, and how can text messages be sent between Ministers, if they believe that nothing can be said within Cabinet that cannot at any time be requested in an Opposition day motion?

If there are papers that show how this process came to happen in the way it did, I hope they are brought forward, as the Home Affairs Committee has requested, but this motion goes to the nth degree of asking for “advice” to be published—what sort of advice? Does that include oral advice, minutes taken, emails and text messages? The motion also mentions “all papers” and “correspondence”, but it is only for the selective dates that the Opposition feel may be helpful to their cause. This is not the way to sort out a problem that has occurred over decades. This problem must be put right, and I believe the Home Secretary has the passion to put it right.

The semantics and picking apart of the word “compliant” are ridiculous. Most Conservative Members would agree that the Home Secretary is a man of great compassion who cares deeply about—

**Mr Lammy:** On a point of order, Madam Deputy Speaker. I have had to cope with the hon. Lady saying that we cannot link the Windrush generation to slavery. I have had to cope with her suggesting that my “Oxford English Dictionary” definition of “compliance” in my speech was wrong. Can she correct the record?

**Madam Deputy Speaker:** I understand that passions are running high, but the right hon. Gentleman knows that that is not a matter for the Chair. He has made his point. The hon. Lady may address it if she wishes to, but it is up to her.

**Mrs Main:** Thank you, Madam Deputy Speaker. I simply said that we have had everything thrown into this debate, apart from a discussion of the impact of what the motion would deliver.

As I was saying, I believe that our new Home Secretary is a compassionate and caring man. The fact that he has been called a “coconut”, and all the other things he has had to endure in the short time he has been in office, just goes to show that we do not live in the tolerant society that I would like to live in. The fact that he has the dignity to address those comments in the Chamber but still not be deterred from doing the right thing by the Windrush generation is to his great credit, and long may he do so.

I do not think that this debate has been characterised by good temper on both sides. When the shadow Secretary of State will not give way to anyone, it certainly does not make for a debate; rather, it makes for a one-sided monologue read from notes. The implication of the motion is so far ranging and so constraining on any future Government that it would be very dangerous to go along this route. The Windrush generation has been done a great disservice, but apologies have been made. I hope that there is a swift resolution, and I believe that under the current Government there will be.

4.35 pm

**Emma Reynolds** (Wolverhampton North East) (Lab): The Windrush generation came to our country in the post-war period to help to rebuild Britain. They have made our nation great, and they are part of us. They are British citizens regardless of whether or not they have the paperwork to prove so.

I first became aware of the appalling and inhumane treatment of the Windrush generation last October, when my constituent Paulette Wilson was detained at Yarl’s Wood and then taken to Heathrow detention centre, before being released at the 11th hour, after I had intervened, as had the Refugee and Migrant Centre in Wolverhampton. Paulette believed she was going to be put on a plane to Jamaica—a country she had not been to for 50 years, since she was 10 years old.

Paulette has worked all of her life in the UK, including serving food to Members of Parliament in this place, and she has paid 34 years of national insurance contributions. She has raised a daughter, and she now has a granddaughter. For weeks after her release, she found it difficult to sleep or eat. I want to press the Government on the compensation scheme. I know that they have to be careful and that it has to be got right, but I hope that they will bring it forward quickly and that she is properly compensated.

It pains me that it has taken so long for this scandal to come to light. Why did it take the detention of my constituent and the appalling treatment of many others—they thought they were isolated cases until somebody linked them together—as well as the work and determination of my right hon. Friend the Member for Tottenham (Mr Lammy), the intervention of the Church of England bishops, the pressure from several Caribbean high commissioners and Heads of Government, and the work of a dedicated journalist at The Guardian to join up the dots?

The Home Secretary today announced an internal review into what went wrong. If that is to be meaningful, it must identify the root causes of this scandal. This is not about scoring party political points, but about focusing on preventing this from ever happening again and on rebuilding trust not only with the Windrush generation but with others who have come from the Commonwealth over the years and the EU migrants who have come more recently. I hope—I sincerely hope—that the Government will be honest and open about why what happened to Paulette took place, and why so many others have also been caught up.

I have heard some Government Members describe this as an administrative oversight, but I do not believe that to be the case. If it were just an error, why did it happen to so many different people in different parts of the UK? Others have tried to blame civil servants, as if what Ministers do and say has no bearing on their Department. The truth is that Ministers make policy and civil servants are there to carry out their policies. Ministers set targets and expect civil servants to deliver on those targets.

We have to look closely at the hostile environment policy introduced by the Prime Minister when she was Home Secretary. This included making landlords,
doctors and employers unwilling border guards, setting an unrealistic net migration target of getting immigration down to the tens of thousands and removing legal aid and the right of appeal on NTL—no time limit—applications.

We have recently learned that there have been internal regional targets for removal. The former Home Secretary denied their existence, and said to my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) and members of the Home Affairs Committee: “that’s not how we operate”.

We now know that she was wrong about the existence of such targets—they do exist—but what she said about not operating in that way was absolutely right. It is absurd and immoral to have removal targets for migrants. It has fostered a culture of disbelief and of treating people as numbers, not human beings.

We need an honest appraisal of what went wrong, to prevent this from happening again and to have any chance of building a fair and humane immigration policy, as the Home Secretary declared he wants to build. Let us learn the lessons, and let us make sure that our immigration policy is in line with British values and the country in which we live.

4.40 pm

Mark Menzies (Fylde) (Con): I want to keep my words short. It is a pleasure to follow the hon. Member for Wolverhampton North East (Emma Reynolds).

I would like to comment on the words of the right hon. Member for Tottenham (Mr Lammy) because he said that it may be five years before he is back here fighting this cause. I hope it is not that length of time. It is important that we use this opportunity to learn the lessons, and let us make sure that our immigration policy is in line with British values and the country in which we live.

This is an opportunity for us to celebrate the rich diversity that the Windrush generation have brought to our shores. Regardless of whether we are talking about the first generation, their children or, in many cases, their grandchildren, we have to recognise them for the benefits they have brought. If we visit a health service in this country, it is almost impossible not to find examples of where those have been enriched by what has come to our shores. That is incredibly welcome.

It is important that we use this opportunity to learn from what has been a shocking example of failure. Whether it was deliberate or accidental, people were let down and betrayed. That was an absolutely shocking stain on a great Department of State. I really hope that Ministers and officials, regardless of party, reflect on the decisions they took and make sure that we learn from this, move forward and never make systematic mistakes again.

We are entering a period when we will be dealing with vast numbers of EU nationals, which, again, will potentially throw up lots of complications and questions. We have to make sure that we draw on what has happened, to ensure that the rights and protections for those people, their children, their spouses and so on are honoured and respected.

I would like to pick up on the remarks made by the hon. Member for Birmingham, Ladywood (Shabana Mahmood) about immigration solicitors, because a huge amount of work needs to be done. Many of these solicitors work honestly and openly, and do a great job for those who come to see them, but there are others who do not. There are others who are not fully qualified. There are others who seek to charge exorbitant fees to people who often cannot afford to pay them. There are others who give people bad advice and who send them on a runaround. Very quick bits of advice could solve an issue, but some of these solicitors would rather look the other way and tie people into horrendous, horrific contracts that often leave them in penury. I would say to Ministers that, if there is no work being done on immigration solicitors, it needs to be done, because many vulnerable people are paying an awful price.

I hope that we are able to come together to sort the mess of Windrush and to ensure that immigration policy in this country is fair and balanced, regardless of the colour of someone’s skin or where they are from. I hope that we are able to ensure that it reflects them as an individual and the contribution we believe they can make to our country.

This is a moment when we can move forward. I encourage Ministers to continue in the way they have been doing in recent weeks. If we get this right, tens of thousands of people—not hundreds of people—will be grateful. We should be sorry for the people who have paid a horrific price, but we should be thanking those who have shone a light on what is an unmitigated disaster and who are putting a wrong right.

4.44 pm

Sir Edward Davey (Kingston and Surbiton) (LD): I thank the hon. Member for Fylde (Mark Menzies) for the tone he adopted in his speech. That is exactly the tone that the House should have seen throughout this debate.

We have to learn from this appalling scandal. We have to think about what it means for our immigration system and how we treat people—I repeat: how we treat people. Legal or illegal, they are people and we should treat them fairly and with justice. I say to Conservative Members that, when Hansard comes out tomorrow, they should re-read the speeches by the hon. Member for Birmingham, Ladywood (Shabana Mahmood) and the right hon. Member for Tottenham (Mr Lammy). I found them very insightful. They spoke from the heart and from experience. I do not have the immigration case load of the hon. Member for Birmingham, Ladywood, but I have a quite a number of cases and she talked about issues that I have seen in my surgeries far too frequently. There is a huge and systemic problem with the Home Office and it has to be put right.
The right hon. Member for Tottenham talked about what people are feeling out there: what real people are feeling, their emotions. If we do not hear that in the House, we will never get to the bottom of this problem. I say to Ministers and Conservative Members: just think. Yes, the motion is strong in terms of the amount of information it asks for, but that is right because it is proportionate to the level of scandal we are facing. It is proportionate to the work we have to do to get this thing right. I have faith in the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) and the Home Affairs Committee to look at that information and use it with judicious skill. If we can come together, we can really learn the lessons and find out what has gone wrong.

I am pleased at the period of time proposed in the motion. It includes a period of time when my party was in government. I am very happy for all that to be considered. I gently say to Labour colleagues that I wish the motion went a bit further, because we need to learn everything, but I will vote for it tonight. It talks about transparency and openness, and that is where we have to go.

I hope the Minister will say a little more about who it is we are helping, as that is currently too vague for my liking. The Windrush generation? Commonwealth citizens? Can we be more specific? We need to know exactly who will be helped by the unit and the new rules. Unless we do that, we will find other injustices. We need to get it right, so we need the detail. We know how much Home Office officials focus on the detail. If we are going to hold them to account for this system, we need detail from the Minister.

I urge the Government to not stop at Commonwealth citizens. There are people who have been in this country from all over the world for many, many years. I am dealing with a Moroccan who came to this country in 1973. His papers were lost in a fire in the place in which he worked in 1978. He is now homeless and suffering from cancer. He has no recourse to public funds and the Home Office does not take any notice of the letters I write. [HON. MEMBERS: “Shame!”] It is shameful. We really have to start thinking about these people as human beings. The Government have to realise that even if the Prime Minister is caught up in this and it emerges that she was told about the problems facing the Windrush generation when she was Home Secretary and did nothing, that is too bad. She will have to be held to account for that. We need the openness.

We will be debating an amendment to the Data Protection Bill on 9 May. The Government are putting forward a Bill with an immigration exemption so that people, including British citizens, will not be able to have access to their immigration file held by the Home Office. Home Office officials will be able to say, “No, you can’t see it.” That is a recipe for a cover-up and the next Windrush scandal. That clause must be removed. This House must vote against it on 9 May.

There are so many things wrong with our immigration system. We have heard this week about visas not being given to the NHS doctors we need to help our people. We have heard about foreign students who have been expelled against the rule of law. There is so much that is wrong. If the Government do not understand that and ignore what the editor of the Daily Mail says, I am afraid our country will not come together in the way that it should.

**Simon Hoare** (North Dorset) (Con): It is a pleasure to follow the right hon. Member for Kingston and Surbiton (Sir Edward Davey). On Monday, we had a first-class debate in the quiet environment of Westminster Hall. All of us who took part, including particularly the shadow Home Secretary—the tone and manner in which she introduced the motion were not conducive to our seeing a replication of the debate that we had in Westminster Hall.

I say this not to be particularly partisan, but I think there is a very clear disconnect on this issue between the Opposition Front Benchers and their Back Benchers. Their Back Benchers are talking about people; they are talking about the principles that underpin their stances and objectives. The motion before us, which probably has very little to do with what many of our speeches have been predicated on, is all about politics and the process of politics. I would assert, I hope without contradiction, that most people who are affected by this issue really do not give a damn about the process. They just want to get it sorted out.

Legitimate questions have been asked, such as, “If we call up the Home Office number, and so on, will we compromise ourselves?”, and I hope that all of us feel that we have a duty to take back to our friends and constituents the fact that on this issue, the Government have recognised that there has been an error. The error has not necessarily been solely authored by this Government—it goes back to the end of the Blair-Brown era—but the people affected need confidence that the Government and the House are now on their side. They need to have confidence in the robustness, honesty and integrity of what Ministers say, whether that is in the media or at the Dispatch Box. If we decide, through narrow partisan political interest, to play politics with those people’s lives because we think that it might nudge us up one point or another in the opinion polls, that will let down our constituents.

Part of the problem, and I make no apology for rehearsing the point that I made on Monday, is that—

**Yvette Cooper:** Will the hon. Gentleman give way?

**Simon Hoare:** Of course I will.

**Yvette Cooper:** I listened to the hon. Gentleman’s thoughtful words earlier this week as well, but I really would ask him to withdraw some of the things that he has said about the Labour Front Benchers and the approach that they are taking, and in particular, about the shadow Home Secretary, who has been a passionate advocate for individuals who have been badly affected by the Windrush crisis. By all means, disagree with the motion, if the hon. Gentleman takes a different view,
but I strongly urge him to withdraw the points about the shadow Home Secretary’s motive and approach, given the speech that she made earlier.

**Simon Hoare**: I say to the right hon. Lady that nobody in this House would doubt—let us be frank about this—the sincerity with which the shadow Home Secretary has faced fighting racism and abuse in this country. She is a leader in the field. I say to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the Chairman of the Home Affairs Committee, that if only the motion had reflected that, because it does not—it is about process.

As I said on Monday, at the back of all our minds, on the Government Benches and on the Opposition Benches, there is probably a little echo of guilt. Whether it was UKIP, the BNP or some of the more extreme narratives of our tabloid press, issues of “asylum” and “refugee”, “illegal” and “legal”, got conflated with “them” and “us”, “foreign” and “different”, “alien” and “domestic”. All of us, looking to our political bases, became anxious about seeing our support nibbled away, and instead of making the positive, liberal case for the contribution that immigrants make—the case made by my right hon. Friend the Member for Broxtowe (Anna Soubry) and by my right hon. Friend the Member for Bracknell (Mr Pickles)—and of itself, a breach of trust. The betrayal of people not to prove her right to work. The lesson of the Windrush March she was fired from that job because she could help refugees and migrants, so what an irony that in our community in West Ham, working for a charity, Government’s hostile environment. Jessica has served for nearly 50 years, and both have fallen victim to the hostile environment; homelessness, detention, depression, mental illness, suicide and bereavement. People like Jessica and Gem have been denied the decent, dignified, fair treatment that all of us have a right to expect. They have been treated like criminals without reason and denied redress without reason. Legal aid, tribunals, access to justice—all cut. Their trust in their country has been breached and cannot easily be restored.

There is massive anxiety in my community about immigration removal flights that may have British Windrush citizens on board. In particular, I am told of flight PVT070. I have asked about this in recent days, as have my colleagues, but despite ministerial assurances, anxieties remain. Can Ministers at the Home Office imagine just how badly they will have further betrayed the trust of generations if they fail to get a grip on this and British citizens are again deported?

Let me finish by echoing what my right hon. Friend the Member for Tottenham (Mr Lammy) said. The Windrush generation are British. They have always been British. Recognising their rights is justice. It is not generosity. I am tired of hearing that “they” came here to help “us”. In the community in which I grew up, there is no “us” of which Gem and Jessica are not a part. The Windrush generation did not come to help “us”; they are “us”. In serving our country all their lives, they have helped to build the communities that we share.

On Monday, in Westminster Hall, I spoke about how personal this is—and it is. Lucy and Cecil are my brother-in-law’s parents. They are good people. They are Windrush people. Lucy served for decades as an NHS nurse. They and their family, including me, are furious about the way in which the Government have treated British citizens. Sometimes when we are in this place talking about personal stuff, we struggle to find the right words and the right tone, but I hope that I have done them justice today.

**Several hon. Members**: rose—

**Madam Deputy Speaker (Dame Rosie Winterton)**: Order. I want to make every effort to enable as many colleagues as possible to speak, so I shall now reduce the speaking time limit to four minutes.

**Jeremy Quin** (Horsham) (Con): It is a pleasure to follow the hon. Member for West Ham (Lyn Brown). I think that she found absolutely the right words to express the human tragedy of this case, and I congratulate her on her powerful speech. Like her, I have been in the Chamber holding the Government to account when there have been urgent questions and statements about
this issue, and like the hon. Member for Wolverhampton North East (Emma Reynolds), I am seeking—as my questions will confirm—the swift implementation, after consultation, of an effective and appropriate compensation scheme.

The House has every right, indeed a duty, to hold the Government to account. I hope that had the motion concerned the substance of policy, the mistakes for which the Government have apologised and the details of compensation and restitution, my contribution to the debate would have been no less sincere and no less demanding than that of any other Member in upholding the rights of our fellow citizens, to which I know the Government are also committed. However, that is not the motion that the Opposition have chosen to debate. Many speakers have not focused on the motion, but have discussed the Windrush affair more generally. I do not blame them for doing so—it is an issue that rightly excites fierce passions—but the House must be cognisant of what the motion actually says.

The right hon. Member for Hackney North and Stoke Newington (Ms Abbott) set out a list of items of information, some of which I thought were quite reasonable, and most of which I thought she could access by means of parliamentary questions or freedom of information requests. However, she has resorted to a deeply archaic mechanism involving vastly wide-ranging powers and implications. The power that the motion invokes predates our Select Committees. It predates the routine questioning of Ministers on the Floor of the House. It predates freedom of information requests by centuries. It is not designed for a trawl through eight-years-worth of text messages. In my view, it has been superseded by the freedom of information legislation introduced by the last Labour Government, with the checks and balances that that wisely incorporates.

I appreciate that neither the right hon. Lady nor the Leader of the Opposition has been a Minister with civil servants to advise them. However, having served on secondment in the civil service, I cannot emphasise too strongly how fortunate we are as a country to have a cadre of extremely experienced, independent civil servants, eager to do their utmost to provide the Government of the day with the best possible advice. I am deeply concerned by the precedent that the motion sets, not because of the position in which it places Ministers but because of the position in which it places decent public servants who do their utmost to support any incumbent Government.

The motion makes a number of demands. First, it demands the release of all papers, correspondence, text messages and advice on a set policy area over an eight-year period. I find it hard to think of a precedent that could justify this. The power that the motion invokes predates the checks and balances that that wisely incorporates.

Whatever the answer, we know that a gross injustice has been committed against the Windrush generation, and those responsible for it must be held to account. The Windrush generation are owed more than that, however; they are owed the full restoration of their rights as citizens to healthcare, housing, their pensions and social security, and in some cases they have lost their jobs. Some have even been deported in error—an error that has ripped apart lives, families and friendships.

Up to 50,000 British citizens have been too fearful of being deported or detained to even attempt to clarify their status. The Home Office does not even know the number of people it has wrongly deported, but even one person deported in error is one too many. So I ask the Minister to say in responding to this debate how many British citizens from the Windrush generation have been detained, and how many have been deported.

Whatever the answer, we know that a gross injustice has been committed against the Windrush generation, and those responsible for it must be held to account. The Windrush generation are owed more than that, however; they are owed the full restoration of their rights and compensation for the wrongs committed against them. But they are also owed a national discussion of how their country came to treat them with such inhumanity—a discussion of the history that led to the present day.

It is a history that my family knows well. My grandparents came to Britain in the 1960s. They were part of the Windrush generation, and their history and the history of the British empire are inextricably tied together. As my right hon. Friend the Member for Tottenham (Mr Lammy) so proudly said, it is a history that my family knows well. My grandparents came to Britain in the 1960s.
that begins in the 17th century when the European empires enslaved millions of Africans, taking them to the Caribbean in brutal conditions, subjecting them to cruelty and murderous exploitation and building the wealth of the British ruling elite on their enslaved labour. In the eyes of the British colonial rulers, they were unworthy of having rights. That is the Caribbean history just as it is the British history.

When my grandparents left Jamaica for Britain, they knew that history. When they arrived here, they were truly welcomed by some, but not all. They were confronted by fascists and racists, and they faced Conservative election posters that said “If you want a coloured for your neighbour, vote Labour”, signs in shop windows reading “No blacks, no dogs, no Irish”, and politicians such as Enoch Powell who whipped up racial hatred, blaming migrants for economic and social problems. Still my grandparents persevered. They built their lives here and raised their family here. By right, they are British citizens, but in the eyes of some, the colour of their skin says otherwise. By right, they are citizens, but they are not seen as such.

As a society, we must reflect on how we have allowed the British state to detain and deport wholly innocent British citizens and allowed our Government to pursue a “deport first, appeal later” policy. We must reflect, we must learn and, first and foremost, we must ensure that the Government give justice to the Windrush generation. Justice means compensation for the harms committed, the details of which the Government must fully spell out—

Madam Deputy Speaker (Dame Rosie Winterton): Order.

5.10 pm

Kirstene Hair (Angus) (Con): What has happened to the Windrush generation is completely unacceptable, and the Government must do all they can to sort out this mess as quickly as possible. I would like to pay tribute to my right hon. Friend the Member for Hastings and Rye (Amber Rudd), who worked tirelessly during her time as Home Secretary and saw our country through times of unprecedented difficulty, including three major terrorist attacks. I also thank her for her response to the Windrush issue, during which time she acted without hesitation to put processes in place to correct past mistakes.

As the Government continue to right this wrong, I would like to seek assurances from the new Home Secretary on a few counts. First, we cannot underestimate the administrative difficulties faced by many in the Windrush generation, and indeed people from other Commonwealth countries who came here prior to 1971, in proving their citizenship to the Home Office. Many simply will not have official documentation. I understand that the Government are accepting other forms of evidence, such as school records, but Ministers must not take their eye off the ball. We need the various arms of the Government—from the Home Office to the Department for Work and Pensions and from the Department for Education to Her Majesty’s Revenue and Customs—to work together to help those people to build a picture of their life here in the United Kingdom. This is complicated work, and the new unit at the Home Office must stand ready to assist people through the process.

The Government have already taken positive steps, with a new dedicated team helping individuals to identify and gather evidence to confirm their existing right to be in the UK. They have ensured that no one affected will be charged for the documentation that proves their right to be here. They have also created a new website to provide the necessary additional information, so that as many people as possible feel that they can come forward. The Prime Minister and the Home Office have met and reassured leaders, charities, community groups and high commissioners from across the Commonwealth. They have outlined the actions that we are taking to help people to evidence their right to be here.

The issue of compensation has already been mentioned many times today. The Windrush generation have given us decades of service and hard work, and helped us to rebuild our communities—communities of which they are now an integral part. Any compensation scheme must have those affected at its heart, but there is no doubt that we have failed them. This was a failure of the British state and we must make it right. That means compensation for all those who were blocked from accessing vital services, who were threatened with deportation or whose lives have in any way been affected by this failure. Only then can we show the Windrush generation that we are sorry, that they are valued, and that we are determined to look after them as the British citizens they are.

This sorry episode was a failure of process and of the system under successive Governments. We have heard a lot today about the impact of the hostile—or compliant, to use another word—environment. We have been told that it is putting off foreign doctors and nurses from coming to the UK. We have heard how the Government’s migration targets must be dropped. However, I would remind the Opposition that the compliant environment has nothing to do with this. It is about tackling illegal immigration. I believe that that is an important job of Government, and that it is what the public want us to do.

As a member of the Home Affairs Committee, I will work with Members across the parties to ensure that we examine what has gone wrong, that we scrutinise why it has happened, and that we work to find a way forward. We will make recommendations to the Government, and I look forward to working with Committee members on that. What has happened to the Windrush generation has been scandalous. It was a failure of the system, Madam Deputy Speaker, and those people are just as British as you or me.

5.14 pm

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I congratulate my right hon. Friend the Member for Tottenham (Mr Lammy), who is no longer in his place, on bringing this matter to the Government’s attention and my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) on her dogged determination in pursuing the issue.

I want to take issue with some of the comments made in this debate. The hon. Member for Corby (Tom Pursglove), who is no longer in his place, spoke about the matter as though it were just a small administrative error, but my hon. Friend the Member for Birmingham, Ladywood (Shabana Mahmood) summed up the ignominy that many of my constituents have faced because they
have a west African name or a strong accent. They come to see me for things that they should not have to see me about—not just immigration issues but, yes, those as well. I, too, have a heavy immigration workload, and I have some advice for the Minister, because another thing that has been said in this debate is, “Why aren’t we looking at the Labour years?” Well, I was the Immigration Minister in the last three years of the Labour Government, so perhaps I can help to bridge that gap.

Let me be candid: the Home Office has long had administrative problems on immigration. One of the issues that the Minister and her boss the new Home Secretary will face is that, to deal with the problem, we need proper investment in the right quality and numbers of people to be able to turn casework around in the necessary time, so that people are not dribbling through the system for a decade or bouncing backwards and forwards with decisions that require legal challenge. However, even with the current desire to tackle the issue, I bet that it will be a big challenge to secure the necessary money from the Treasury to deliver that.

**Lyn Brown:** I agree with my hon. Friend. I also have massive amounts of immigration casework, and I really have not benefited from the staff with whom I have been beginning to get a relationship, and who really understand the cases, being changed willy-nilly by the Home Office. We could do with some stability.

**Meg Hillier:** Tackling that is a huge challenge for the Department, and I agree with my hon. Friend. This was not just an administrative error. Dealing with the administration of immigration with never enough resources has been a challenge for the Home Office for years.

The hostile environment has bitten hard in my constituency. Discretionary leave to remain was reduced from five years to three years, meaning that people had to apply twice before they could get citizenship, and is now reduced to two years, meaning that people have to apply three times. The fee is £800 a time—it keeps going up; I lose track—before they pay over £1,000 for British citizenship. The costs are bankrupting my constituents who are working hard in this country, paying their taxes and paying their dues. They are being treated like second-class citizens. They are not yet citizens, but they aspire to be and they are doing everything right.

Turning to the people who are citizens, the Government have in effect declared an amnesty for those people from the Commonwealth who arrived here between 1973 and 1988, and I have another word of advice for the Minister. In declaring an amnesty—officials will be quavering at my use of that word, because they hate it in the Home Office—will she be clear, as other hon. Members have asked, about whether it applies to all members of the Commonwealth? Will it cover my west African constituents who are in exactly the same position? If I only had the time, I would tell her about some of the horrific cases. One man is homeless; and another is about to lose his home because it belongs to his partner. They are frightened about ringing the Home Office helpline in case it causes them problems.

Those people are from the Caribbean, but I also have Commonwealth citizens who are in the same position. They are originally from Africa, but they are British, and yet they do not have the paperwork to prove it. The little paper Immigration and Nationality Directorate letters that people come to our surgeries clutching have been enough to get them a job and their entitlements, but their employers have suddenly said, “But you need a biometric residence permit.” Why did the Home Office—this happened strictly under this Government when they changed the rules—not write to everybody on the immigration lists and say, “You now need this new document in order to hold your job and keep your rights”? Had it done so, those people who are not yet citizens—those who have not chosen to go down the citizenship route, but have indefinite leave to remain—would have been in a better position.

The issue goes wider than just the Windrush generation, and let us hope that there is not just a quick fix for them, but a much wider review of the system. Let us not forget that this Government chose to abolish identity cards, which were being rolled out on my watch in the Home Office. They would have made a big difference to many of my constituents who very much wanted to prove that they had the same rights as other citizens.

I have little time to cover compensation and legal aid, but good-quality legal advice saves time and money for everybody in the long run, and justice is denied if justice cannot be accessed because someone cannot afford it. I am afraid to say that we have a real dearth of good-quality legal advice with legal aid—it is a desert in some areas—and many lawyers are charging high fees for, frankly, poor service. The Minister needs to take that into account, or we will see further such problems along the way.

**James Cartlidge** (South Suffolk) (Con): It is a pleasure to follow the hon. Member for Hackney South and Shoreditch (Meg Hillier), and it is very reasonable of her to speak so candidly about the previous Labour Government and her experience as a Minister. There are some challenges that any Government would face, no matter what commitments they make, because of the scale of the task and the logistics involved, and so on.

The hon. and learned Member for Edinburgh South West (Joanna Cherry), who speaks for the SNP, accused Conservative MPs of blaming migrants for the problems in our society and in our infrastructure. She attended a Westminster Hall debate in November 2017, called by my right hon. Friend the Member for Forest of Dean (Mr Harper), on immigration and the economy, in which I praised the east Europeans who recently came to this country and who have made such a contribution. The recycling plant in Suffolk serves the whole country, and it is kept going by Romanians—I praise them, and I will always praise them.

Today, on the Windrush issue, I am happy to offer the same praise to those who have come here from the Commonwealth. Although I now happily live in Suffolk, I was originally brought up in north London. I went to a primary school in Edgware that had many Commonwealth pupils, many of whom I assume came from families who were part of the Windrush generation.

Today we see the contribution, particularly from the Afro-Caribbean community, on the Front Benches, on the Back Benches, in this country’s public life—particularly in this country’s sporting life—and in the small businesses they run. My mother was a nurse for many years in north London. Nearly all her colleagues were of Afro-Caribbean origin and, of course, they made a huge contribution to the NHS.
Here is the thing, as terrible as the stories are—I do not defend any of it, and the Government certainly need to sort out the problems that have arisen—the underlying cause, about which the hon. and learned Lady and others asked, is the sheer scale of immigration, both legal and illegal, that this country has experienced in recent years. It is not a conspiracy. The scale is unprecedented, and I quote David Wood, the former director general of immigration enforcement, who told the Home Affairs Committee on 10 October 2017 that he estimated there to be at least 1 million people illegally resident in the UK—that is equivalent to the populations of Edinburgh and Glasgow added together. A responsible Government cannot ignore such things. It is an abuse of the system because it is an abuse of the rule of law. Frankly, it is an abuse of the legitimate citizenship held by all those who have been spoken of today.

I very much regret what has happened, but a number of hon. Members have spoken about language and the rise of scapegoat culture. Well, let us be absolutely clear that, for the centre to hold and to govern in politics, we have to address those issues, even if they are unpalatable. If we do not, we will truly give rise to populists, UKIP will get back into the game and the fringes of politics will come back.

People have to see that we are dealing with the problems that matter to them, and our constituents want us to address illegal immigration. We have to find a way that does not involve this sort of outcome, in which people who are here legitimately are penalised. We all accept that, so it is about striking a balance, but let us be clear that part of the balance is a robust immigration policy that deals with people who are here illegally and, if need be, deport them.

I intervened on the shadow Home Secretary, and I am pleased that she is happy to confirm that she accepts the need to tackle illegal immigration. There is perhaps more consensus than we let on. We need to work together to build an immigration system that is firm but fair, as many Governments have pledged over the years. It is not easy, but we need to respond to legitimate public concern that the level of immigration, and particularly illegal immigration, must be sustainable, otherwise we will lose the public’s support and they will turn to parties that are not so palatable.

5.23 pm

Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): In the past few weeks I have been encouraged by the level of public backlash on the Windrush scandal, which is a mark of how far we have come and of how we are generally a more diverse, tolerant and accepting society. As ever, we have much more to do, and I am sure the new Home Secretary does not underestimate the Government’s role and the importance of the tone set by his Department in how it treats people who come from other places to live in this country, and in ensuring that we continue to make our society more tolerant and more accepting.

That is why I have been bitterly disappointed by the tone and comments of some Conservative Members, particularly during the early part of this debate. As my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) said, people from across the Commonwealth are watching this debate, and we owe it to them that the debate is conducted in the right way.

The public backlash also highlights just how out of touch the Home Office has been under the stewardship of the Home Secretary’s two immediate predecessors. I have not had any cases directly from the Windrush generation, but as a new Member of Parliament I can say that the Home Office has been the most difficult Department I have had to deal with. As a Scottish MP, I can say that many of the day-to-day issues that other Members will see in their casework are devolved to Scotland and are dealt with by MSPs. Immigration cases take up a large share of the matters my constituents bring to me, and just when I think I have heard it all, there is sure to be another example of an individual or a family in crisis because of the appalling treatment at the hands of the Home Office.

These are remarkable cases but it is clear to anyone who would take the time to listen to the people involved that they have every right to be in this country. I know the new Home Secretary does not like using the words “hostile environment”, but, whether he likes to call it that or not, that is what we have. The right hon. Member for Broxtowe (Anna Soubry), who is no longer in her place, put it well when she described the default position as being the assumption that the person is here illegally. The numbers game is not working. My constituents are not numbers. They are sons and daughters, fathers and mothers, and hard-working families, some of whom are devastated at the prospect of being separated. They are people who want to put roots down and start families. In one case, a young couple were unable to undergo the fertility treatment they need because the Home Office is indifferent to their special circumstances.

My constituents who have settled in this country tell me that they are Scottish and they want to stay in Scotland. They love Scotland, and they want to contribute and play a full role in their community. These are people who have paid thousands of pounds, whether they can afford it or not, for the right to stay in this country, yet at every turn the Home Office has put obstacles in their way and treated them like they do not belong. We should be delighted that skilled people who want to come to the UK, to contribute to our economy and pay taxes, and to enrich our lives with their culture love this country so much that they are prepared to keep battling against the Home Office at every turn. But they should not have to battle. The Home Secretary must resolve the Windrush scandal, but if we are to prevent this from happening again, the hostile environment must end, and now is the time to do it.

5.27 pm

Kevin Foster (Torbay) (Con): It is a pleasure to be called to speak in this debate. It was particularly welcome to hear the speech made by my hon. Friend the Member for South Suffolk (James Cartlidge) a few moments ago and his comments about the contribution that migrants are making to his community. In the same way, those who have come to make Torbay their home—people who want to make their life there and to exercise their legal rights within the community have made my community a stronger and better place.
When I first saw the heading for this debate and saw that this was what the Opposition had selected, I thought we might see a motion that celebrated the contribution the Windrush generation made and referred to the achievements of that generation, who are as British as any of the rest of us in this Chamber and have made this country stronger through their presence. Unfortunately, that is not what the motion does. It is focused on getting certain documents and paperwork. It is an interesting one to read, with the selection of the dates being the most interesting part. It contains yesterday’s date, stating “up to and including 1 May 2018”.

It makes sense to specify yesterday—I can see the logic there—but why the selection of 11 May 2010 as the start of the period? What happened on that day that makes it such a significant date? The Opposition chose not 1 May 2010 or 1 May 2009, but 11 May 2010. That will not be because it was the date of the last flight of a particular type of Nimrod; it will be because it was the date that the coalition Government came into power, which perhaps reveals some of what this motion is actually about.

This motion could have been an opportunity to have pushed the Government for particular dates by which certain cases will be resolved. It could have specified compensation payments, but it does not do so. It is about getting emails and texts about policy discussions—I am surprised it did not list WhatsApp, Instagram, Facebook and anything else. I accept that the Government has to have a space behind the scenes, as any former Minister in this Chamber and anyone who has run their own local council will know, in which the discussion of policy can take place. Clearly, if there are differences of opinion, assessment papers might be presented later to back up policy coming through this Parliament, but that space is there. That says to me that the motion is the product of something rather different from a motivation to celebrate the fantastic contribution that the Windrush generation have made to this nation.

It was right for the Government to apologise for the handling of many cases. In my constituency, we have had only one email relating to Windrush, although it probably is not directly related, but it is right that the Government have apologised, as evidenced by some of the cases that the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) described.

It is probably worth saying that we should celebrate the fact—it is quite significant, thinking of the contribution that that generation has made to this country—that two members of an ethnic minority in this country, the Home Secretary and the shadow Home Secretary, were the leading spokesmen for the Government and the Opposition. Despite obvious disagreements between the two, it is a significant moment for our country that that has been seen here today, particularly when we are discussing this particular issue.

It has been a welcome debate. As the hon. Member for Hackney South and Shoreditch (Meg Hillier) said, it would be welcome to have clarity about whether the issue applies to the whole Commonwealth, because we should remember that the Commonwealth includes not only Caribbean countries, but many countries in Africa and in the Pacific, and other nations.

I welcome the opportunity to have been able to speak for a few moments and pay tribute to a generation that is British, that has done a huge amount for this country and that has not been treated well. It was right that there was an apology. The wording of the motion, however, reveals motivations other than the celebration of that legacy.

5.30 pm

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): I start by thanking the Minister for Immigration for listening to my recent plea for the Merry family, whose mother, Volha, received a letter from the Home Office to deport her and take her away from her family home in Coatbridge, where she lives with her husband Derek and daughter Milana. The Minister admitted that the letter, sent in error, should not have been sent, and apologised to me for the mistake. Madam Deputy Speaker, can you imagine if you were sent a letter, to take you away—away from your family, your children, your neighbours, your home? Imagine how many people would run for cover if they received a letter similar to the one that dropped through Mrs Merry’s letterbox. The Minister’s admission came after weeks of chaos from the Home Office, amid the scandals of the Windrush generation and immigration targets.

The question remains: how many more letters were sent in error? How many people are in hiding, in fear of this Government coming to break down their door to take them away? Is it any wonder that we have people unregistered living in the UK, living in fear, living in pain because they cannot go to hospital, living in someone’s house that they cannot call home—mothers and fathers, frightened to speak out for fear of losing their children?

I was glad that Mr and Mrs Merry came to see me: I was their last hope. They were ready to run. I could see the fear in their eyes; that young couple had tried everything to register themselves so that they could live in peace, without worry, to bring up their daughter Milana, who was born in the UK, just as her father was. I saw a family who were desperate, who wanted help, and I was determined to keep that family together, to help them stay close to their friends in Coatbridge.

I came to this place to speak out for people—to speak out for my constituents—but I will not be the judge. The judge will be little Milana, who will see the tears that her mother shed every day turn to a smile when she has the chance to hold her daughter, instead of being held in a detention centre, ready to be deported, because of this Government.

5.53 pm

**Vicky Ford** (Chelmsford) (Con): It has been a huge honour to sit in the Chamber and listen to so many powerful speeches. I start by thanking the members of the Windrush generation, because time and again we have heard stories about how so many of those individuals have each helped to build the Britain that we know and love today. Like many others in this place, I regularly have constituents who come to me, asking for help with their Home Office cases. The Windrush citizens are British citizens and must be treated as such. As the new Home Secretary said as recently as Monday, this could have been his own family, and he and his team are right to be absolutely focused on getting help to those who need it now.
[Vicky Ford]

I am enormously proud to live in a country where people from all over the world want to come and live. I am enormously proud to be in a country where people can come from another place and sit in this House as a Member of Parliament. People can watch their own children sit on the Front Benches in this Parliament and rise now to become Home Secretary.

This is a fantastic country, and the rest of the world is watching how we act now and how we manage this situation. How we help the Windrush people will have huge precedence for how we then help the 3 million EU citizens who also have the right to be here, and how we expect other European countries to help the 1 million British citizens living with their families in Europe. We must get this right.

If the motion said the Windrush generation are British and have the right to be here, I would vote for it. If it said that many members of the Windrush generation have been treated abysmally, I would vote for it. If it said that the Windrush generation should be apologised to and compensated, I would vote for it. If it said that we must learn from this and make sure it never happens again, I would certainly vote for it. If it said that the Home Office should urgently put in extra staff to help sort out the problems, I would vote for it.

But that is not what this motion says. This motion says we should take staff off the frontline—staff who could be helping to sort out those problems—and send them into the archives, send them to seize computers and trawl through emails, and send them to grab people’s mobile phones to find out what their text messages say. As the Home Secretary said, that could take 100 people off the frontline—people who should be helping our citizens. That is why I will not vote for the motion tonight.

5.37 pm

Mike Gapes (Ilford South) (Lab/Co-op): I have been a Member of the House for 26 years and I want to begin by talking about my experience with a Conservative Government when I was first elected.

In those days, Ministers were willing to meet Members personally when they had a case of somebody in difficulty. I remember a young woman who had won a newspaper competition for a free holiday in Morocco with her husband, but who had the misfortune to have been born in the northern part of Cyprus before Cyprus had its independence. There were all kinds of difficulty and she could not get a post office to issue her a British passport. I got Charles Wardle to overturn the decision of his officials. They gave her travel documents, but he said to me, “Please, please don’t make this public until after I have ceased to be a Minister.”

I remember the Secretary of State for International Trade, when he was a Foreign Office Minister, overruling officials: he was a doctor and he understood the compassionate case that I made for somebody to come here as a visitor and be able to care for someone. I remember Ministers in that time, and I say this because I am trying to get this Government to understand—there has been a change in culture.

In July 2013, the go-home vans were sent into my constituency. That sent fear into many, many people. There has been the development of a culture of disbelief within the Home Office. That has happened over many years. Between 2001 and 2002, I was in the Home Office as Parliamentary Private Secretary to the Minister dealing with immigration and nationality, Lord Rooker. I can say there was enormous pressure at that time because of the political climate that we had had develop in this country.

I see the current crisis as an opportunity. If the documentation is properly made available to the Home Affairs Committee, which will then decide what is appropriate to be published and what is not—I am sure that the Committee can be trusted to do that, given the integrity of my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper)—there will be a chance for us to put some things right. I am not just talking about the Windrush issue. There are other problems, including the English language test scandal exposed by the Financial Times, which I mentioned in my intervention on the hon. and learned Member for Edinburgh South West (Joanna Cherry). There is a similar issue with the tier 2 high-value migrant visas.

There are people in this country today, in different categories, who came here perfectly legitimately, but who have now found that their status is being challenged and they are being told that they have to leave. As my hon. Friend the Member for Hackney South and Shoreditch (Meg Hillier) said, the coalition Government scrapped the plans for ID cards that were in the pipeline from the Labour Government. If that had not happened, the situation would not be perfect but we would be in a much better position today to deal with this culture of disbelief.

5.41 pm

Mary Robinson (Cheadle) (Con): It is a pleasure to follow the hon. Member for Ilford South (Mike Gapes).

I echo the words of the Home Secretary in expressing my profound thanks and admiration to those of the Windrush generation, who—at least 70 years ago to the day—came to this country to help to rebuild post-war Britain and to work in our public services. It is right that we recognise, reflect on and address what has happened to them, particularly in view of the fact that their journey here was one of hope. Their journey and subsequent integration into British life reflected their determination and aspirations to build a wonderful life here. It was also a testament to the open and outward-looking nature of our country. It is important that we go forward from here in that vein, recognising the value of the Commonwealth of Nations and the contribution that its citizens have made, and will continue to make, to this country and to the world.

The Windrush generation have built their life here and have contributed enormously to our country. I emphasise again that there should be no doubt about their right to remain here. Where harm has been done, it should be recognised, addressed and compensated. Members of the Windrush generation came from all over the Commonwealth.

I declare an interest in Commonwealth issues, as a number of my family members have emigrated to Commonwealth countries across the globe. My daughter Felicity emigrated to Australia and has settled down there with her family. My brother Patrick and his wife Sally lived in New Zealand for a number of years,
after emigrating there more than 40 years ago. I am certain that Members from right across the House have relations living in all areas of the Commonwealth.

Last month, the UK was host to the Commonwealth Heads of Government meeting—the biennial assembly of Heads of State from all 53 members of the Commonwealth. It has been argued over the years, particularly since our accession to the European Community in 1973, that the Commonwealth is an irrelevance on the national stage and with regards to our foreign policy. I believe that the opposite is true. As we begin to leave the European Union, our relationship with our Commonwealth cousins will become ever more important, and we must strengthen and build on our historical ties and friendships.

As we debate and address the appalling treatment of some of the Windrush generation, I hope that we can go forward positively. In considering how our country has welcomed and benefited from migration to this country from Commonwealth countries, we should also recognise and thank the wonderful spirit with which other Commonwealth countries have welcomed our citizens to settle and add value to their societies. We should do all we can to build on those mutually beneficial relationships. As we settle and move on from the Windrush scandal, it is important that we again look outwards, rebuild the bonds we have with our Commonwealth cousins will become ever more important, and we must strengthen and build on our historical ties and friendships.

I therefore support today’s motion calling for all papers and all communications to be provided for the scrutiny of the Home Affairs Committee. With regard to next steps, assurances that there are no statutory or legal obstacles are not enough. The rights of Commonwealth citizens must be enshrined in law, so I would urge the Government to commit to restoring—

Tim Loughton (East Worthing and Shoreham) (Con): Will the hon. Gentleman give way?

Matt Rodda: I wish to make some more progress given the pressure of time.

I urge the Government to commit to restoring the protections for Commonwealth citizens that existed prior to the Immigration Act 2014. I also urge the Government to confirm that those affected will be fully compensated for loss of income or benefits, legal fees, Home Office application fees, air fares, emotional distress, and any other costs that they may have incurred as a result of the mistaken hostile environment policy. The new Home Secretary has said that he does not like the word “hostile”. I think he will be judged on his deeds, not his words.

5.48 pm

Leo Docherty (Aldershot) (Con): I am very pleased to speak in this debate and to follow the hon. Member for Reading East (Matt Rodda).

It has been very obvious today and in previous debates that there is justifiable anger over this issue. I think it is partly motivated by the fact that the contribution of the Windrush generation to building our society and economy in the post-war years has not been sufficiently recognised, or is undermined by what has happened. One element that we would do well to celebrate and recognise is the contribution of many members of the Windrush generation to our armed forces, prior to their
arrival in this country in 1948, during the second world war. During the second world war, some 10,000 Caribbean soldiers served in the British armed forces across all three services, and many conducted themselves in a very distinguished manner.

That includes one Billy Strachan, who arrived in England from Jamaica in 1940 to serve in the Royal Air Force. He conducted himself with distinction, completing 30 missions as a part of Bomber Command at a time when the casualty rate in it was some 50%. He was made an officer and completed his training at Cranwell. The historian Ashley Jackson, in his book “The British Empire”, quotes Billy Strachan, who describes arriving from Jamaica as a new young pilot officer in his RAF unit and his surprise on meeting the batman he had been allocated:

“I was a little... boy from the Caribbean and instinctively I called him ‘Sir’. ‘No, Sir’, he hastily corrected, ‘It is I who call you “Sir”’.

That is a very interesting vignette, and it reflects the remarkable role that serving in the armed forces can often have in advancing human rights.

**Dr Julian Lewis** (New Forest East) (Con): I only wish I had known my hon. Friend was going to make that point, or I would have looked up the name of the very distinguished Afro-Caribbean officer from world war two who was awarded the Distinguished Flying Cross and was one of many people from that background who were recognised for great gallantry in the fight against fascism and Nazism.

**Leo Docherty**: I am grateful for my right hon. Friend’s intervention, and I hope that, prior to the conclusion of my speech, another Member will intervene to give us that name.

Of course, it was not such a positive experience for every member of the Caribbean community who served in the British Army. Allan Wilmot, who also came from Jamaica, volunteered to join the Royal Navy in 1941 and served throughout the second world war. He described the sense of hostility that many felt on arriving in the British Isles after the war:

“Being British, you feel like you are coming home, but when we came here it was like we dropped out of the sky. Nobody knew anything about us.”

Those people had to display the same bravery that they had demonstrated during the war on arrival in this country, to overcome that hostility, and of course many of them overcame it successfully and went on to contribute very meaningfully to our economy and our society.

The distinguished service of Caribbean armed forces men and women is not confined to the history books. There is no finer example of gallantry in the modern era than Johnson Beharry, from Grenada, who served with the Princess of Wales’s Royal Regiment in Iraq and was awarded the Victoria Cross in 2005 for his remarkable bravery in Amarah. Anyone who has served recently in a war awarded the Victoria Cross in 2005 for his remarkable bravery in Amarah. Anyone who has served recently in a war.

My interest in the experience of soldiers from abroad who have come to this country and then go on to settle here also links to the experience of our Gurkha soldiers. They, like the Windrush generation, navigated the transition from service life to civilian life. Just as we are hugely proud of the distinguished conduct and contribution that the Gurkhas make, we would do very well today to be similarly proud of the distinguished service of a generation of Caribbean soldiers and the positive contribution they made in the second world war to guarding and defending our freedom.

5.53 pm

**Karin Smyth** (Bristol South) (Lab): It is a pleasure to follow the very interesting speech by the hon. Member for Aldershot (Leo Docherty).

Among the many issues that have been raised today is that of the need to prove Britishness in this hostile environment. When Bevan set up the NHS, he said about distinguishing “visitors”: “Are British citizens to carry means of identification everywhere to prove that they are not visitors? For if the sheep are to be separated from the goats both must be classified. What began as an attempt to keep the Health Service for ourselves would end by being a nuisance to everybody.”

It may be time to revisit that issue. Little did he know that some 70 years later, the people who were so crucial in building his NHS would be facing such struggles.

The debate about migration and proof of identity is not new, but what I hope is new is the voice and experience of many of us here today in this place. I grew up the daughter of Irish migrants who in the 1950s—aged just 17 and 21—came to this exciting but alien and sometimes hostile environment. My contemporaries in west London, as well as the Irish, largely came from the Indian subcontinent but also from the Caribbean. We knew we were different, with our parents born of a different time and place—we were like the in-betweeners—but we shared our knowledge of our history, food, customs and religion. I learned about Amritsar, Indian partition, slavery, the Commonwealth, the world’s religions and customs, and the joy of those cultures not from history books, but from my peers.

This country is great because of the ebb and flow of people, their industry and their ideas and culture over centuries. What has opened up in the past few years is the hostility that we know our parents endured, but which we hoped had gone. Many colleagues, including my right hon. Friend the Member for Tottenham (Mr Lammy), have reminded us all so eloquently of the debt that we now owe to those previous generations.

I have been contacted by some Windrush people, but the Home Office problems go much further. In my constituency I have an American husband in his early 30s who is married to a British citizen, but they have been unnecessarily split due to administrative errors. A man born and bred in Bristol South, who moved to Australia to find work, cannot now bring back his wife and child. Someone who has been a civil servant in Bristol for many years and his second wife, with a 15-year-old son, were refused a visa and did not receive any appeals letter.

The Joint Council for the Welfare of Immigrants and Liberty have called for the appointment of an independent commission to review the workings of the Home Office and the legal framework of the hostile environment,
and I support that call. They have identified many issues, including that of culture and the fact that the Home Office is continually error-prone and often arbitrary in its decision making.

I want to make a further comment about the Home Office in relation to Brexit and concerns in Northern Ireland, which I recently raised with the Minister. The Home Office Border Force recently issued job adverts requiring a UK passport issued in Northern Ireland. Following pressure on the Home Office, including from the Equality and Human Rights Commission, the adverts have been withdrawn and an apology has been made. However, given the delicate balance agreed as part of the Good Friday/Belfast agreement—that people in Northern Ireland can be British, Irish or both—this was a fundamental display of at best ignorance within the Department.

The problems within the Home Office go far—much wider than Windrush and what we are talking about today. The Government need to get a grip and, crucially, they need to change the culture from the very top.

5.57 pm

Neil O'Brien (Harborough) (Con): It is a privilege to take part in this important debate, and to follow my hon. and gallant Friend the Member for Aldershot (Leo Docherty), who rightly reminded the House of the proud record of service and loyalty of people from the Commonwealth.

Let me start by taking a step back. In my constituency, I am proud to have a large number of people who came to this country from Uganda in the 1970s. They were given 90 days to leave by Idi Amin, and they came here with nothing but the shirts on their backs, but they have brought such a lot to my constituency, building fantastic businesses through their hard work and enterprise. They are just one community in which I see so much to admire in people who have come to this country. As I go around my constituency, I see a fantastic culture of effort and hard work in our schools, and communities that have a strong record of looking after older people in their homes. There is much to admire.

When I speak to people in those migrant communities in my constituency, I am also reminded that they feel very strongly that we must not lose sight of the distinction between legal and illegal migration. They feel that they have jumped through many hoops, done all the right things and played by the rules, and they do not want people who have not done the same simply to be allowed to come to this country illegally.

I would argue for balance. I feel very strongly that the Windrush generation have been very badly treated, and it is essential that the new Home Secretary puts that right. He should put in place a more humane system, in place that make it more difficult to be an illegal immigrant and that help us to reduce illegal immigration, which is unfair immigration.

If the motion was in favour of more humane treatment of the Windrush generation, I would vote for it in a heartbeat. Sadly, its effect would be to absorb huge amounts of resource, pursuing an agenda that will not help the people I want to see helped. I would like to see a humane system in which we do everything we can to help people who may not have much in the way of resources to navigate a complex bureaucracy. I would like to see a system that was less bureaucratic, more humane and faster. However, I am unable to support the motion, because it would distract us, rather than help us, in that important task, and it would make it more difficult, rather than easier, for the new Home Secretary to get on with the important work he is doing in ensuring a fairer deal for the Windrush generation.

6 pm

Anna McMorrin (Cardiff North) (Lab): I am grateful for the opportunity to speak in this important debate. When the Prime Minister was Home Secretary, we saw immigration taken out of the scope of legal aid, and we have seen the effects over the last few weeks, as the cruel, inhumane and unnecessary treatment of the Windrush generation and their families has been revealed—people unable to defend themselves against the weight of the Home Office and the hostile environment it has fostered.

As a new MP, one of my first cases last year was that of Mr Robinson, a resident of Jamaican descent who came to me for help. He had been living in this country since the 1970s, working and paying taxes for his whole life here and making a valuable contribution. He is proud that his son became a world champion boxer. His son was working as a storeman in Cardiff and, with just two days’ notice, he accepted a fight for the world featherweight title and won.

Having never needed a passport since he lost his many decades ago, along with his naturalisation documents, Mr Robinson tried to apply for a new passport so that he could attend a wedding in Jamaica just last year. He was sent a letter saying that there was no record of him and that he needed to reapply for naturalisation and to pay the fees, which he did. Then the Home Office told him that he was not automatically entitled to citizenship. In the final letter, he was told that, because he had failed to register his British citizenship upon Jamaica’s independence, he had been relinquished of his British nationality in place of a Jamaican one, without his knowledge. At 85, and having been in this country for over 63 years, Mr Robinson is one of the oldest UK residents caught up in this fiasco and one of those who has been here the longest.

Just last week, I heard from an immigration lawyer representing students in Wales who are being rejected from university because their parents are from the Windrush generation. A student who got A*s in her exams wanted resources such as housing and our infrastructure. Even today, a new poll has shown that the great majority of people in this country want tighter control of migration, and I think it is right to bear down on illegal immigration. Most illegal immigration takes place not as a result of people sneaking across borders but because people overstay in this country. So it is right to have measures in place that make it more difficult to be an illegal immigrant and that help us to reduce illegal immigration, which is unfair immigration.
to be a doctor, but she could not prove she was in the United Kingdom legally, despite having been born here. When the university discovered that, her benefits were stopped and she lost her part-time job. That has meant that three generations of one family—one born here and the other two having been here for over 40 years and over 50 years—have been completely cut off from the right to housing, the right to benefits and the right to continue to be in their jobs. That is why I am calling on the Government to make legal aid available to all applicants who are now forced to prove their immigration status in the UK. They need that financial support and legal help to help them to secure confirmation of their entitlement to British citizenship.

The Government cannot undo the trauma, pain and suffering that has already been caused, but they can ensure that people can access the legal aid, support, justice and compensation that they deserve as valuable British citizens.

6.4 pm

Tom Tugendhat (Tonbridge and Malling) (Con): Thank you for calling me to speak in this important debate, Mr Speaker.

This debate touches the very heart of us. For so many of us, it is fundamentally about fairness. It is a debate about how people should be treated fairly. It is clear that all of us feel that a gross unfairness has been done to people who have been here legally, are part of us and are very much part of the fabric of our community. It is an unfairness that, sadly, started generations ago and has persisted for far too long.

Many Members have spoken, so I will not take up much more time. I simply want to say that that unfairness applies not only, as many have said, to the Windrush generation in the purest sense, but to a wider community who have come from India, Pakistan, Bangladesh, Sri Lanka, the African nations, the middle east and all over the world. One community I would particularly like to highlight, because it is one that touches me personally, is the Jewish community, who have come over the years and have also suffered unfairness through immigration at various points. I realise that that is in many ways tangential to today’s debate, but the point about fairness in migration is that it must include everyone or it includes no one.

I celebrate the fact that we have a son of the Windrush generation representing Her Majesty’s Government—is that not an image of the British dream if ever there was one?—and that he is not referred to as a British-Pakistani. He is not referred to as a British-anything. There is no qualifier. Nobody here is referred to as a British-anything. We are all simply British. That is a huge enrichment for our national life. It has made us, as a country, so much stronger.

I will end by saying how proud I am that this House is represented by so many different communities and by so many people who have come here very recently or many generations ago. The fairness we speak of today—this aspiration of equality that we all seek and too often fail to achieve—is at the heart of Britishness. It is therefore at the heart of the duty of the Home Office to deliver it. I know the new Secretary of State will do just that.

6.6 pm

Helen Hayes (Dulwich and West Norwood) (Lab): The Windrush generation are remarkable for their resilience and their grace. Before the Windrush sailed from the Caribbean, many of its passengers had volunteered to serve in the UK armed forces during the second world war, making that extraordinary sacrifice despite the racism they experienced, and choosing to rise above it and to serve the cause of fighting fascism in Europe.

The Windrush passengers were also answering a call for help from the British Government to come and rebuild Britain after the devastation of the second world war. They came, above all else, to contribute.

I am proud to represent Coldharbour Lane in Brixton, the location of the labour exchange where, in 1948, many of the passengers of the Empire Windrush came to look for work. They found it in our NHS, at London Transport and in other public services. They found it in factories, the construction industry and offices. Many made their home in Brixton, establishing the first large Caribbean community in London. Nothing about that journey was easy, from the separation from family and friends and the long sea crossing to the arrival in a cold and unfamiliar climate and the daily experience of racism epitomised in the signs on doors reading, “no blacks, no dogs, no Irish”. But the Windrush generation found a way.

The Brixton we know today was made by Windrush citizens, from the shops and the markets to the music, the community centres and the churches. Windrush citizens made Brixton not only a place with a strong Caribbean community, but a place of tolerance where diversity is celebrated and where everyone is welcome whatever their background. I moved to Brixton in 1996, and for a young person from a small town in the north of England it felt like the centre of the world. Brixton embraced me and allowed me to call it home. I am proud now to have the privilege of representing our fabulous Windrush community.

That same community, however, has encountered an immigration system under this Government that has no grace and is devoid of all compassion. It is a system that is programmed to assume the worst of everyone—to ascribe bad motives to even the most innocent of errors and to look for every possible reason why anyone who has come to the UK from overseas should not be allowed to stay. It is a system that is loaded to saying no until it is forced to do otherwise, delivering injustice in many forms.

First, there is the injustice of incompetence: the hundreds and hundreds of people I see whose applications are delayed, whose papers have been lost, or whose decisions are founded on a mistake made by the Home Office itself. Secondly, there is the enormous injustice of a system that has proactively and deliberately used the lack of formal papers held by many British citizens who have been here for decades as an excuse to try to remove them from their home or deny them access to public funds.

The third injustice affects families seeking to travel to visit one another for a range of different reasons. I have lost count of the number of heartbreaking cases in which family members seeking to travel to a wedding, a funeral, to help out around the birth of a new baby or to support a loved one who is sick have been prevented from doing so, because the Home Office makes an
assumption that anyone wanting to enter the UK must be trying to do so with the motive of staying here permanently. The most outrageous case concerned my constituent, Isaac, whose leukaemia stem cell transplant from his brother in Nigeria was delayed because the Home Office said that he might want to outstay his visa.

The final injustice I want to mention is that of having no recourse to public funds, which, right here, right now in this city, is causing a family with children and a heavily pregnant mother to sleep on our streets while two councils argue over who has a duty to look after them and put a roof over their heads.

A Department that is dealing with so many people in such appalling ways cannot command any confidence in its ability to deal fairly with the hundreds of thousands of EU nationals who will call the UK home post Brexit. We cannot allow this injustice to continue, and we cannot allow it to happen again. Nothing short of a root-and-branch review of the Home Office, a full compensation scheme for Windrush citizens and a radical change of approach will be adequate as a response to this scandal.

6.11 pm

**Eddie Hughes** (Walsall North) (Con): It is an honour to follow the hon. Member for Dulwich and West Norwood (Helen Hayes), who made her case so passionately, and I would like to associate myself with many of her comments. We have heard that there is complete understanding from Members on both sides of the Chamber today that a wrong needs to be corrected.

Before I go on to the rest of my speech, I would like to add a brief moment of levity. There was some temporary excitement among my friends yesterday when they read a headline in the paper suggesting that the son of an immigrant bus driver had been elevated to the position of Home Secretary—they thought that the honour could have been bestowed on me already. However, when I explained that someone who holds that great position of state needs to be able to command a Department of 27,000 staff and a budget of £14 billion, handling millions of decisions every year, I think they completely agreed with the Prime Minister that it was probably best left in the hands of my right hon. Friend. Friend the Member for Bromsgrove (Sajid Javid), for the moment.

However, as I say, I am the son of an immigrant bus driver. My Irish parents came over from Ireland in the 1940s and I grew up in an Irish community in Birmingham. To go back to the comment made by the hon. Member for Dulwich and West Norwood, I heard stories of signs on bed-and-breakfast accommodation that said, “No blacks, No Irish.” I have a complete understanding and affinity for that community, with which my parents shared so much of their early life. Indeed, my father never went outside of England and Ireland. He never travelled to another country and I cannot imagine how disturbed he would have been to be faced with the prospect of having to provide documents that would allow him a passport to travel to other places around the world to join and support family members, as the hon. Lady so rightly mentioned. I completely understand the difficulties that people will have faced and we need to put it right.

We also need to understand the context in which this debate can sometimes be framed. My hon. Friend the Member for South Suffolk (James Cartlidge) mentioned that we have approximately 1 million illegal immigrants in the UK. Clearly, this is a sizeable problem. Today, I read an article in the paper that said my hon. Friend the Member for Grantham and Stamford (Nick Boles) had been talking about the fact that we need to reconsider our approach to our immigration policy in this country. In 1997, a poll showed that 3% of the people who were asked their view on immigration thought that it was the most important issue facing the country. Ten years later, 46% of people thought that it was the most important issue, so for today, we have a problem. However, it is best placed in the hands of a man who is a brilliant Minister, who will completely sympathise with the people affected.

What have the Government done so far? We have made 7,000 calls, identifying prospectively 3,000 people who have been affected; 600 appointments have been made and 100 people have already had their documents processed. As a party, we are taking this problem very seriously. We have deployed the resources necessary to address it, and I firmly believe that within months the Conservative party will have dealt with this issue.

6.14 pm

**Fiona Onasanya** (Peterborough) (Lab): I am grateful for the opportunity to participate in this very important debate, but I am saddened that the debate is necessary. The Government assert that it is unhelpful to refer to their policies and the scrapping of protections afforded in the 2014 Act as fostering a hostile environment. I am sorry but I do not apologise. This is not, and cannot be considered, a compliant environment. It is correct to call it what it is: hostile.

I find it increasingly frustrating that the Government seek to conflate the Windrush debate and debacle with illegal immigration. To combine two sets of information is to conflate, so let me be clear: we are talking about people who were here legally being considered illegal. It is too late for warm words and simple apologies. The architects of this crisis must now stop and go back at this moment in time and make sure that they do provide this simple, honest and clear account of how this was managed.

**Simon Hoare**: The hon. Lady is absolutely right to talk about the need for honesty in this debate. She will be aware that one of her activists in Peterborough has called my right hon. Friend the Home Secretary a “coconut” on Twitter. What is she and her party locally doing about that? Such abuse cannot be tolerated.

**Fiona Onasanya**: I advise the hon. Gentleman that the activist is not actually a Labour member, but I hear what he says. I disagree with any form of racism, especially racism pointed towards or coming from Members of this House, such as Conservative Members using the N word.

The Home Secretary must confirm that full compensation will be paid—compensation not limited to but including: loss of income, loss of benefits, legal fees, Home Office application fees, air fares, emotional distress and unlawful detention. Will the Home Secretary factor in such considerations as I heard when I went to a Committee room? I heard members of the Windrush generation talking about how being held in a detention centre for nine months left them unable to pay their mortgage and
that as result their home was repossessed? When will things of that sort be talked about and explained to us in the context of compensation?

This crisis was foreseeable and foreseen when legislation was being introduced. We have heard from both sides of the House that warnings were given to Home Secretaries but that nothing was done, no action was taken. In respect of action being taken, I also heard from a member of the Windrush generation in that Committee room that they had a biometrics card due to expire in 2024. Why would a British citizen not be given a British passport? This is not about targets; it is about justice for the Windrush generation. Until we have answers to these questions, we will continue to seek transparency.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP) rose—

Mr Speaker: I wish a happy 40th birthday to the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), but I am afraid he does not get any longer than four minutes.

6.19 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Your good wishes, Mr Speaker, and those of other hon. Members have certainly made facing up to middle age that little bit easier today, so thank you very much indeed.

I start, as I did in Monday’s debate, by paying tribute to the Windrush generation. They battled against hostility when they arrived, and it is a tragedy that they have to battle against hostility 70 years later. We have heard lots of thoughtful speeches today, but I am troubled by the argument that the world can be neatly and easily divided into good “compliant migrants” on the one hand and wicked and nasty “illegal immigrants” on the other, and by the argument that the hostile environment will affect only the latter while everyone else carries on utterly unharmed. Those arguments are at best naive and at worst disingenuous, as the Windrush scandal has shown.

The key point that I want to make in the limited time available is that the disastrous impact of the hostile environment—which is, essentially, a half-baked, back-door ID card—does not start or end with Windrush. Others have fallen victim to it, and will continue to do so. Some are legally here and some are undocumented, but they are as far from the desperate stereotype of the wicked illegal immigrant as it is possible to get. Hostility is not the answer.

Among the victims of the hostile environment—as we heard earlier from my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford)—are the tens of thousands of undocumented children in this country. Many were born here, and many of those have led most of their lives here. They are entitled to British citizenship under the British Nationality Act 1981 if they register, but few are registering. Indeed, few will be aware that they need to register until they are refused jobs, education, social security, housing or NHS treatment in exactly the same way as the Windrush victims. Then, despite their not being allowed to work or claim benefits, the Home Office will refuse to register them unless they can scrape together more than £1,000, more than £600 of which is pure Home Office profit. Why should those children be subject to a hostile environment?

Also among those cast adrift in the hostile environment will almost certainly be tens if not hundreds of thousands of EU nationals who, for whatever reason, do not manage to secure settled status by whatever cut-off time the Home Office imposes.

There are further victims of that hostile environment. One is the Afghan interpreter who was in the news again last week. He worked with the British armed forces in Helmand province for two years, but his asylum claim has been turned down. Does he deserve to be in a hostile environment? Also forced to face that environment are the hundreds, perhaps thousands, of Eritreans who were wrongly refused asylum on the basis of the Home Office’s dodgy country guidance. Many of them are now street homeless and destitute.

As was pointed out earlier by the hon. Member for Ilford South (Mike Gapes), among the victims of the hostile environment are several thousands of students who were wrongly caught up in the English testing scandal. They were presumed guilty on the basis of a spreadsheet from the company that had messed up the testing in the first place, and were then rounded up and deported without even being allowed to see or hear the evidence against them, let alone challenge it in a tribunal in this country. Thousands of careers were ruined before they had even started. All those people might be caught up in the broad and pejorative term “illegal migrants”, but they deserve a humane rather than a hostile response.

Also caught up in the hostile environment are those who—just like the Windrush generation, and just like every Member in the House—are perfectly entitled to be here. Among them will be 9 million British citizens without passports, because 43% of landlords and landladies say that they are less likely to let to such citizens now than a hostile response.

The hostile environment has brought no gain, but so much pain. We must not pretend that this starts and stops with Windrush, because otherwise it will run and run.

6.23 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): I want to thank the nurses, the teachers, the bus drivers, the plumbers and the bricklayers who came to my city to make it the great city—the greatest city in the world—that it is now. I particularly thank those who came to my part of the greatest city, south London. The Windrush generation have contributed so much, not only through work but in the community, in our churches, and in our political parties. The strongest supporters of the Mitcham and Morden Labour parties, those who will be out tomorrow knocking on doors and putting leaflets through the letter boxes, will be from the Caribbean. If I had time, I would tell the House their names and their stories, but I do not. Instead, I will tell the stories of three people who have no right to be here, although each of them has lived here for more than 50 years.
Ken is 64. He came to the UK in 1962, aged eight, to join his now late parents Herman and Ivy Ellis, both of whom were UK citizens. He still has his dad’s UK passport and his birth certificate. He went to school in Wandsworth. He was taken into care by Wandsworth Council for some time. He first came to see me in 2013, and I tried to help him to find evidence to support his application to stay. I am sorry to say that I did not know that he already had indefinite leave to remain. I contacted the Home Office; it would not give his details unless the Home Office asked for them. I asked Wandsworth for his school records, but was told, “We don’t keep records that far back.” I even requested his landing card, not knowing, of course, that that had since been destroyed. That means that since 2013, Ken, who has always worked, has been unable to do so. His relationship has broken down, he has lost his home, and he is staying at the mercy of friends.

I would like to tell the House about Neville. Neville came to Britain in 1973, aged 17, to join his parents, Thomas and Deslin, both of whom were UK citizens—and I am now holding up their British passports. A subject order request to release his file from the Home Office showed that the Home Office was entirely aware that he had come to Britain in 1973 and later informed anyone who wanted to read it that the Home Office had destroyed his file and that of his mother. So there was no way for him to prove that he indeed was a British citizen.

I first got to know Trevor on 13 April. He came to see me. He had stopped working for Blue Arrow Agency because he wanted to care for his mother, Eastlyn. When he tried to return to work, they said, “Trevor, show us your documents, show us you can work.” He replied, “Can work? I have worked since the late 1970s. How can I no longer be entitled to work?” I spoke to Trevor about paying thousands of pounds to apply for indefinite leave to remain for naturalisation, because I did not understand that he already had indefinite leave to remain.

I am ashamed that I did not understand their position. I tried to help them, and I have failed. I only ask that the Home Office no longer fails and that these men be allowed to work, as their parents taught them, and to lead the lives that they want to lead as serious citizens of this country.

6.27 pm

Carol Monaghan (Glasgow North West) (SNP): My constituent was eight when he arrived in the UK with his parents and seven siblings nearly 50 years ago. He was schooled here, got a job, married, had children and then grandchildren, worked and paid taxes. A fear of flying meant that he never applied for a passport, in contrast to all his siblings who all hold British passports. Everything changed for my constituent, whom I will call Theo, when he applied for, and was offered, a new job in November 2014. He was required to produce a passport. Not only was his job offer withdrawn, but his existing employer was forced to suspend him.

Theo began a lengthy and expensive battle with the Home Office. It wanted his parents’ marriage certificate and his mother’s original passport. I would challenge any Member to produce their parents’ passports from 50 years ago, yet he did. The Home Office wanted evidence of Theo living in the UK; payment of tax and national insurance was not good enough. His citizenship was refused because of the lack of his parents’ marriage certificate, but, amazingly, this was found by a member of his family.

However, the Home Office refused to reconsider its decision, at which point I wrote to the then Home Secretary, now the Prime Minister, about Theo’s case. She did not respond, but instead I received a letter from a civil servant. I raised the case in business questions with the then Leader of the House, now Secretary of State for Transport. He urged me to write to him, which I did. I received a response from the then Immigration Minister, now Secretary of State for Housing, Communities and Local Government. There was no change to the Home Office position, but, chillingly, the final paragraph stated:

“It would appear, in this case, that Theo’s siblings may have been erroneously issued with British citizen passports. If their full details, including their dates of birth, can be provided then the Home Office will investigate the matter further. If it transpires that the passports were issued in error, then it will ultimately be a decision for Her Majesty’s Passport Office as to whether or not the passports can be retained, or should be revoked.”

Theo is a deeply private man; he is not seeking publicity or attention. This particular correspondence highlights why he wishes to remain anonymous.

When the new Home Secretary was appointed in July 2016, I wrote to her. I received a response from the Immigration Minister, now the Children’s Minister. The reason for my detailing all this correspondence is to show that this issue was known about long before the scandal broke, and that many Government Ministers have had their grubby fingers on it—in my constituent’s case, five different Ministers including the Prime Minister herself. The faux outrage from the Government Benches is simply not credible when we know how many people had previous knowledge of the situation and did not act. It is only right that the previous Home Secretary has resigned, but it would appear that she has committed this act of self-sacrifice to divert the attention from the true culprit: the creator of this “hostile environment”, the Prime Minister herself.

The impact on Theo has been enormous. This man who has worked all his life now finds that the impact on his mental health is so severe that he is unable to hold down a job. It is right that the Prime Minister has apologised for the wrongs that have been done, but how will she make up for the impact on his health, and how can she ever compensate Theo for everything he has lost?

6.30 pm

Laura Pidcock (North West Durham) (Lab): I want to start by mentioning the patronising way in which the right hon. Member for Broxtowe (Anna Soubry)—who is no longer in her place—spoke to me earlier about countering the far right in her youth. Countering the far right should not be something that people can consign to their youth; they should make a lifelong commitment to challenging and countering those deplorable racist views. It is quite a privilege for someone to be able to leave it behind in their youth.

There have been many brilliant and moving speeches today about the Windrush generation. I want to address the question of the “hostile environment” more broadly. It is clear to anyone who has had any engagement with the Home Office that our immigration system is broken. It is a shambles and, in its present form, it has been...
[Laura Pidcock]

constructed on a premise that is solely negative and suspicious of our fellow human beings. There has been a culture on the right and the far right and in the printed press that places immigrants and immigration at the heart of society’s ills. That is both futile and inaccurate. I represent a constituency that has one of the lowest levels of immigration in the country yet, you know what, we still have hospitals that are underfunded, schools that are under immense pressure and a woefully inadequate transport system. None of those ills was caused by migration.

Returning to the question of our broken immigration system, I want briefly to outline some of the things that I think are wrong. People engaging with the immigration system have to wait far too long for a response. Deadlines for processing applications are not being met. The fees are extortionate, and there is little or no help or immigration advice. It is a complicated process. Passports, birth certificates and other important documents are lost. None of this has been created in a vacuum. The asylum process is degrading, frustrating and punishing, and many vulnerable, brave people are treated without respect.

The system is built on a presumption that everyone who wants to come to this country is a cheat and a liar who must be found out, and that their intention must be to defraud the system and to steal. Charges, borders, barriers, searches, detention centres, medical inspections, dawn raids, go-home vans, charter flight removals and hostile environments therefore seem necessary, but that is a flawed assumption based on a superiority complex.

We might think, from the way some people talk in the press, that we have open borders, and we hear the perpetuation of the unfounded myth that migrants receive preferential treatment. Everything that has been said in this debate shows that that is absolutely untrue. Was I surprised to hear about the treatment of the Windrush generation? Absolutely not. It is not a shock at all. British citizens are regularly treated with contempt by this Government; it is nothing new. But now the mask has fallen, and we need some truth and honesty, starting with the publication of every single document relating to this fiasco, so that people can see and understand the scale of the problem.

We should not be shoved down the path of the good migrant versus bad migrant narrative. That language is wholly unnecessary, and it leads to two difficult endpoints, in which only the richest and most privileged people have freedom of movement, and the others who come here are often those who come in servitude to those people. What kind of society have we created, when those are the only two options? Where is the humanity in our immigration system? We must find it, develop it, nurture it and place it at the centre of whatever is built next. Pathologising human movement as though it were an affliction is not a route to a healthy society or a peaceful world. We can do so much better than this.

Mohammad Yasin (Bedford) (Lab): It is an honour to follow my hon. Friend the Member for North West Durham (Laura Pidcock). I speak today as a immigrant who has lived in Bedford—one of the most diverse towns in the UK—for 26 years. I was fortunate to grow up in a tolerant environment, and I have always loved my town, so much so that I wanted to work hard to give something back to my community. That was why I first got involved in local politics back in 2005, when I tried to give something back to a town that had welcomed me, but society is changing. To hear about how the Windrush generation—British citizens—have been treated is chilling for anyone who has come to live in Britain legally from Commonwealth countries and from elsewhere, and now even for EU citizens.

Like most MPs, I receive a lot of correspondence about immigration issues, including from people who want to go overseas to attend important events in their relatives’ lives. Hearing the heartbreaking stories of British citizens not being allowed to leave the country to attend parents’ funerals or a wedding or not being allowed home has been appalling. I have seen the effects of the hostile environment policy since 2014 and have felt the effects of a shift in attitudes towards immigrants—personally and through the stories that my constituents tell me.

In recent years, the Home Office has forced people from parts of Africa and the subcontinent to endure increasingly long waits to have their cases considered, labelling them “complex” and refusing to offer timescales or reasons for the delays. Such cases sometimes involve unaccompanied child refugees who, having made the dangerous journey to get here, have been left in limbo for years with no certainty that they will not be deported when they come of age. Entry clearance officers overseas now seem routinely to refuse visas from certain parts of the world, even when people have visited and returned several times before.

Things have felt different and difficult in recent years. The hostile environment has had a profound impact on our health service and on the social care sector. A manager of a nursing home contacted me just the other day to say she cannot get visas for qualified nurses. Nurses cannot get visas to come and look after sick, elderly patients in my constituency, in an out-of-hospital facility, because of Home Office policy. Meanwhile, our hospital is creaking at the seams and cannot discharge patients. The Government’s decision to make landlords, local authorities, schools, universities and every employer into an agent of Border Force by requiring them to check people’s status has created an environment of fear and suspicion. People have seen job offers withdrawn after incorrect information was passed from the employer checking service, and people have lost rental properties and university places.

Some of the Windrush victims have been detained in Yarl’s Wood—a terrible place that needs to be shut down. Let us not forget that it is Government policy, and Home Office application of that policy, that has led to so many vulnerable people being detained indefinitely in that dreadful place on the edge of my constituency—

Mr Speaker: Order.

6.38 pm

Ruth George (High Peak) (Lab): I pay tribute to my hon. Friends who have raised shocking cases this afternoon. They have shown a light on the impact that treating people as numbers has had, and have raised wider questions. I have huge concerns about the Home Office culture that has been fostered by such policies. If we treat people as numbers, regardless of their individual circumstances, we all lose out, as we are now realising.
As an illustration, I raise the case of a young man from Sri Lanka to whom I spoke today. I cannot give his name. He has anonymity due to concerns for his safety, as the House will realise. This young man was trafficked to this country as a teenager after his brother was taken from school by the army and never seen again.

The young man claimed asylum in this country and agreed to give evidence against the international gang that had trafficked him. He was promised anonymity in the trial. He was promised leave to remain in this country, as he would be in danger from the gang’s associates back in Sri Lanka. So he gave his evidence and helped the Home Office to put away the UK members of the gang. The Home Office even put out a press release to celebrate its success.

However, instead of protecting the young man whose evidence it had relied on over two days of cross-examination, the Home Office gave details of his asylum claim and his family’s whereabouts to the defence. Very soon after the trial was over, the Home Office sought to deport him back to Sri Lanka. The defendants, who had shouted as they were sentenced that they would take revenge on him, thought their lucky day had come.

In spite of the young man’s evidence, the Home Office’s submission to his appeal said that “consideration has been given to the criminal court judgement in which he was a credible witness, however this in itself does not present as a very compelling circumstance to prevent deportation.”

Even though a judge had ruled against his deportation to protect his safety, the Home Office sought leave to appeal against that ruling at the Upper Tribunal. Just last week, it succeeded in getting the asylum decision overturned.

The young man now has to go back to the First-tier Tribunal to have his case reconsidered. Having helped this country to put away the criminals who help people trafficking, and having helped the Home Office, he is now terrified of deportation and the revenge of the people traffickers.

I thank the Immigration Minister for having sat through the whole of this afternoon’s debate, and I thank the Home Secretary for being here. Will they address why the Home Office is spending such vast sums on victimising people who have done their best for this country and who have done us a great service while protecting themselves in danger?

What does it say to the victims of people trafficking? We need them to come forward if we are to convict people traffickers. Will the Minister please look into this terrible case individually and see whether Home Office resources can be better spent?

I am afraid this is the result of a policy that treats people as numbers and that sets targets for deportations and net migration — that deports anyone it can. As we have seen, a huge effort is going into this, and that effort and net migration—that deports anyone it can. As we need that information because we need to prevent people’s human rights from being overridden by bureaucratic fiat yet again—I am not convinced that will not reoccur.

My constituent Yvonne Williams is a Windrush generation daughter. She was kept at Yarl’s Wood detention centre for eight months, and she learned just last week that she was due to be put on the plane back to Jamaica that so many Members have talked about in relation to their constituents. Last weekend, the decision was rescinded at the last minute and it appears that my constituent may well be able to stay.

My constituent is very well networked. She is well known in Oxford, and I was on her side as her local MP. But I am concerned about the large number of people who are isolated, who are not backed up by their MP, who have not been picked up and whom the Home Office may be missing. The Home Office will not know about those people if it does not understand why and how these mistakes were made.

Secondly, I want to make a point about the need for the Home Office to liaise with the Department for Work and Pensions. I have another case of a late middle-aged man who came to the UK when he was very young and discovered issues with his status only recently, when he was required to transfer from jobseeker’s allowance to universal credit. I was grateful that the Secretary of State talked before about how he is going to liaise with other Departments, particularly to make sure people’s access to services and to benefit is not compromised. What I want him to do, with the Ministers from the DWP, is make sure they get that message out there to the jobcentres, so that they do not turn around to people and say they will cut off their support. Instead they must say, “Right, we are going to help you because we know you’ve got a right to be here and we need to give you that support, via government and via the Home Office.” Until now, they have been saying they are going to cut off the support.

I want to end by saying that the words of my hon. Friend the Member for Birmingham, Ladywood (Shabana Mahmood) need to remain with us and ring in our ears as we walk out of the Chamber tonight. She set out clearly how the Windrush case is not necessarily anomalous; it is, sadly, a hallmark of a Home Office that has been described by people on both sides of this House variously as operating in an “arbitrary” manner, in an “unfair” manner, in a “punitive” manner and in an “incompetent” manner. That has got to change. This has to be the clarion call that changes that operation of the Home Office.

6.46 pm

Afzal Khan (Manchester, Gorton) (Lab): Let me begin by thanking all the contributors this afternoon. The Windrush crisis has revealed something rotten at the heart of this Government: a blurring of the line between looking like an immigrant and being an immigrant. We can see now that race and immigration cannot be separated. Ministers have tried to claim that the Windrush crisis was a one-off. They have replaced the Home Secretary and pretended that that is the problem solved. Members have raised many individual cases this afternoon. For these people, the Home Secretary’s resignation did not
put the issue to bed. We need to look back at what led to this crisis. We need to deal with what is urgently in front of us: justice for the Windrush generation. We need to look ahead, to make sure history does not repeat itself. If the Prime Minister orders her MPs to vote against this motion, it will expose the Tories’ crocodile tears on the Windrush scandal as a sham. The British public will not accept a cover-up.

Looking back, we see that the Government were well aware of the risks in 2014 when they designed the hostile environment. They were told by MPs, by campaign groups and by their own civil service, yet the Prime Minister went ahead and implemented it anyway. The Government have known about specific problems with the Windrush generation for a long time, too; individuals have been contacting the Home Office for years, and the media have been giving voice to Windrush cases for six months. As the former Housing Secretary, the right hon. Member for Bromsgrove (Sajid Javid) knows that the independent inspector sounded the alarm about the Government’s right to rent scheme before Easter. They have known all this time, yet they cannot tell us how many people have been wrongfully deported, wrongfully detained, and wrongfully denied healthcare and public services. Ministers have been reluctant to come forward with the facts, and we need to know these right now. If the Prime Minister is too weak to be accountable, Labour will have to force her to be accountable.

Now that people are in this awful situation, the Prime Minister must urgently confirm the legal status of the Windrush generation. Ministers have spoken of “granting” British citizenship, but let us be clear: these people are already British citizens. Their citizenship needs to be confirmed, not granted, and indefinite leave to remain is not good enough.

The Government have set up a taskforce. Does it have the capacity to deal with all the cases in two weeks? Can it expand if the case load demands? The Government have said that they will take a generous approach. What exactly will be the burden of proof and when will we get that in writing? Application fees have been waived. Can the Minister confirm that the waiver applies to all administrative process. What is the timeframe? How much has been allocated for it? Can the Minister confirm that compensation will apply to loss of employment, denial of access to benefits, public services and healthcare, as well as any shortfall in national insurance and pensions? Will it also cover the trauma, pain and suffering caused by the Government’s reckless hostile environment?

Looking forward, we need a complete change of policy and approach in the Home Office. A change of face will not do. The Home Secretary has said he wants an immigration system that behaves more humanely and with a greater sense of fairness. That does not come about through warm words; it comes about through action.

The Windrush generation came to Britain to build our modern, global Britain after the second world war. In 2018, it is 70 years since the Empire Windrush docked, 50 years since the “rivers of blood” speech and 25 years since the death of Stephen Lawrence. The Windrush crisis is the shameful culmination of our history. We need to investigate what led to this crisis. We need to get justice for the Windrush generation and we need to correct our future course so that history does not repeat itself.

6.53 pm

The Minister for Immigration (Caroline Nokes): This afternoon, we have had thoughtful and passionate contributions from both sides of the House, which have reflected the public mood towards the Windrush generation, who have contributed so much to our country. We also had a debate on Monday, in which the tone was constructive; I listened carefully to Members’ contributions then, as I have today.

We know that the failure of successive Governments to ensure that individuals arriving before 1973 had the documentation they need is deeply regrettable. I have previously said that I am personally sorry, and I repeat that today, but I also repeat how important it is that we put this right, as a matter of urgency.

Joanna Cherry: Will the Minister give way?

Neil Gray (Airdrie and Shotts) (SNP): Will the Minister give way?

Caroline Nokes: I will give way just once—to the hon. and learned Lady.

Joanna Cherry: I am grateful to the Minister. Will she apologise for the underlying policies that caused this scandal?

Caroline Nokes: The hon. and learned Lady made some comments earlier that I wish to respond to, but I really think it is important that I put on record how sorry I am that people have been affected, and how crucial it is to me that we make sure we get it right, and that, going forward, we make sure this cannot happen again.
As my right hon. Friend the Home Secretary has said, putting this right must not mean taking resources away from the teams who are already working so hard to help those who have been affected. I have seen them working and know their dedication and commitment, which I saw this last weekend in Croydon and in Sheffield. That is why the Opposition’s Humble Address motion is not the right answer.

We have announced a package of measures today to bring greater transparency to Members of the House and to the public. I would like to remind the House of those measures. First, the Home Secretary will be writing each month to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) with an update on progress. I have little time this evening to comment on her significant contribution, but I would like to say to her that it is important to me that we provide her with the updates and make sure that her Committee is aware of the progress. It is seldom that I say this on the Floor of the House, but I look forward to being called to her Committee as early as next week.

Yvette Cooper: I have put to the Minister, on behalf of the Committee, and to the Department about 50 questions so far, about half of them two weeks ago. So far, I think we have had only about five of them answered. When will they be answered?

Caroline Nokes: It is absolutely imperative to me—and indeed to my civil servants, who have been working incredibly hard—that the right hon. Lady not only gets the answers, but gets thorough and full answers. We will undertake to make sure that that happens as soon as possible.

Secondly, the Home Secretary will be writing to the right hon. Lady each month on the latest position on detention, removals and deportations. Thirdly, the Home Secretary will bring external oversight and challenge to a “lessons learned” review, which is already under way. He has asked the permanent secretary to give the review the resource that it needs.

The hon. Member for Hackney South and Shoreditch (Meg Hillier) shared with us her experience as a former Immigration Minister. She made some observations that I, too, have reflected upon in my relatively short time in this role, and she made some valuable points. It is clear to me that there are resources needed to put this right, and also to look forward and make sure that there cannot be similar occurrences again.

There has been much debate about the impact of the compliant environment on the Windrush generation. We are taking steps—important steps—to safeguard those from the Windrush generation seeking jobs or rented accommodation. We have published updated guidance on gov.uk, which encourages employers and landlords to get in touch with the Home Office checking service if they are unsure about individual status. The taskforce will contact the individual concerned to help them to prove their entitlement, and the employer or landlord will be issued with a positive notice to enable them to employ or register the individual.

The Home Office is working with other Departments. The hon. Member for Manchester, Gorton (Afzal Khan) raised the importance of my doing so, particularly with reference to working with organisations such as the DWP, the Department of Health and Social Care, and the Driver and Vehicle Licensing Agency to make sure that not only Departments, but the partner agencies across the board, work to ensure that we have the relevant safeguards in place to prevent those from the Windrush generation from being denied the benefits and services they should be entitled to. Tomorrow, I will chair a cross-Government meeting to discuss those safeguards in more detail.

We have also been clear that ongoing enforcement activity must not impact on people in the Windrush generation. Immigration enforcement has put in place arrangements to minimise this risk.

Ruth George rose—

Caroline Nokes: Will the hon. Lady allow me to comment on some points that she raised at the end of the debate? It is important to me that I address them. It is absolutely crucial that we work very hard to make sure that we have immigration policies that are fair and reflect human beings—the people we know they are. That has been one of the most powerful elements of the Windrush crisis. I have seen and listened to the individual stories, and I want to make sure that they do not happen again.

The hon. Lady raised a case from Sri Lanka. I hope she will come to me with the individual’s details, because it is important to me—just as when I assisted the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), who is no longer in his place—that we work hard to solve individual cases. I recognise how time-hungry and resource-intensive that will be, but it is imperative that we get this right, and I know that the Home Secretary shares that ambition. The previous Home Secretary—

Mr Nicholas Brown (Newcastle upon Tyne East) (Lab) rose—

Mr Speaker: Let the Minister finish her sentence.

Caroline Nokes: The previous Home Secretary worked hard on this issue and spoke of changing the culture of the Home Office. I am absolutely determined that we do change the culture and work hard to right this wrong.

Mr Nicholas Brown 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.

The House divided: Ayes 221, Noes 316.

Division No. 148

[7 pm]

AYES

Abbott, rh Ms Diane
Alexander, Heidi
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Bardell, Hannah
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Luciana
Blackford, rh Ian
Blackman, Kirsty
Blomfield, Paul
Babin, Tracy
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Butler, Dawn
Cadbury, Ruth

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On a point of order, Mr Speaker. I have notified the hon. Member for Peterborough (Fiona Onasanya) about this point of order. Earlier in the debate, I inadvertently misled the House in an intervention that she very kindly took during her speech in relation to Mr Tariq Mahmood of Peterborough. While it is true that Mr Mahmood has been found guilty of vote rigging and has campaigned against the Leader of the Opposition and the hon. Lady very recently—he has also been a local Labour party activist, not a member. As I hope you know, Sir, I cherish this place very much, and I would not have sought to have misled it advertently.

Mr Speaker: I am extremely grateful to the hon. Gentleman for what he has said, and it has been duly noted. It will—or, alternatively, will not—be pored over by hon. Members who take a very keen, and even anorakish, interest in his pronouncements.
Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)).

LANDFILL TAX

That the Landfill Tax (Disposals of Material) Order 2018 (S.I., 2018, No. 442) which was laid before this House on 28 March, be approved.—(Mark Spencer.)

Question agreed to.

PETITIONS

Royal Bank of Scotland closure in Beauly

7.17 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): May I remind the House that, in 2008, United Kingdom taxpayers supported the Royal Bank of Scotland with an injection of £45 billion? We own the Royal Bank of Scotland—we own 73% of it—and our communities have stood by this long-standing institution. What is the repayment from RBS? It wishes to close 62 branches in Scotland, 13 of which are the last bank in town, and that will have a devastating effect on local communities.

RBS tells us that only 27 customers regularly use the branch in Beauly in my constituency of Ross, Skye and Lochaber, yet I was able to determine that there are actually 3,439 customers and 29,000 transactions annually. The Royal Bank of Scotland has been at the very least economical with the truth.

My constituents are alarmed at this potential closure. This is one of the branches that was given a reprieve, and I call on the Royal Bank of Scotland to make sure that the people of Beauly can continue to use banking services for the long term.

The petition states:

The petition of residents of Ross, Skye & Lochaber, Declares that the proposed closure of the following branches of the publicly-owned Royal Bank of Scotland in the areas of Kyle of Lochlash, Beauly & Mallaig, will have a detrimental effect on the local communities and the local economy.

The petitioners therefore request that the House of Commons urges Her Majesty’s Treasury, the Department for Business, Energy and Industrial Strategy and the Royal Bank of Scotland to take into account the concerns of petitioners and take whatever steps they can to halt the planned closure of these branches.

And the petitioners remain, etc.

Proposed Closure of Accrington Victoria NHS walk-in centre

7.19 pm

Graham P. Jones (Hyndburn) (Lab): Accrington Victoria NHS walk-in centre, which has had 42,000 patient visits in the last 12 months and which offers 88 hours per week of GP service, is being replaced by an out-of-hours GP service, with just 19 hours available. When the walk-in centre closes, many people will simply go to the A&E at Royal Blackburn—one of the busiest A&Es in the country. That seems ridiculous, particularly when a patient visit to the A&E costs £120 on average but just £60 to the walk-in centre.

The people of Accrington and Hyndburn have spoken today. This petition has 10,000 written signatures and 14,000 online signatures—24,000 signatures in total. The Government must now listen to local people, show some common sense, step in and save this valuable service.

I would particularly like to thank Chris Reid and Kimberley Whitehead for helping with this campaign. I would also like to thank all the volunteers involved.

The petition states:

The petition of residents of Hyndburn, Declares that the petitioners are committed to defending NHS services in Hyndburn; and further that the walk-in service based at Accrington Victoria Hospital is a vital community health resource which must remain open, and that other NHS services in the area are being run down.

The petitioners therefore request that the House of Commons urges the Government to ensure that arrangements are put in place for the NHS in East Lancashire to ensure that the Accrington Victoria Hospital walk-in service remains open and that the closure of other NHS services in the area are halted.

And the petitioners remain, etc.
Mental Health Services (Norfolk and Suffolk)

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

7.22 pm

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I thank you, Madam Deputy Speaker, and Mr Speaker for granting this debate on mental health services in Norfolk and Suffolk and the challenges they face.

Quite rightly, the Government have talked a lot over the last few years about parity of esteem between mental and physical health and about the need to invest more in mental health services. Indeed, there has been limited extra investment in Norfolk and Suffolk. None the less, the NHS trust has faced challenges that are affecting the quality of patient care. Tonight is a good opportunity to bring before the House some of those issues and, hopefully, to offer some solutions and appeal to the Government to do more to help the trust in very difficult times, because ultimately it is the patients who suffer when trusts are in difficult circumstances.

First, I would like to pay tribute to Gary Page, who is the chair of the Norfolk and Suffolk mental health trust. Despite very challenging circumstances, difficult Care Quality Commission reports and the financial pressures that have faced services in Norfolk and Suffolk for many years, he has worked hard to make sure that there has been continuity. It is thanks to his leadership that the trust is now able to move forward and address some of the challenges that it faces with the quality of care.

I want to talk briefly about some of the issues involved, focusing mainly on ward closures and the points raised in the CQC report. I want to outline to the House some of the fundamental issues with staff shortages, which are probably the worst in almost any mental health trust in the country. I want to talk a little further about the finances of the trust, and I also want to talk about some of the difficulties there have been in how the trust works with addiction services and how that is counterproductive to the effective care and treatment of patients.

Although my medical work is not currently in the east of England, I want to draw attention to my declaration in the Register of Members’ Financial Interests. I am a practising NHS doctor working in mental health services, which of course gives me some insight into the challenges faced by the trust, although I do not think that interest is particularly applicable in this case, because my medical work is not done in the region.

The quality of care challenges facing the trust are quite extensive. As the Minister will be aware, the trust was put into special measures in October 2017. There are significant pressures on beds within local services, resulting in higher numbers of out-of-area placements for patients. Many patients are now having to be transported out of area to be treated because of the closure of beds, which is not good medical practice. It is not good for patients either, because they will be a long way away from their support networks, and it interferes with the effective post-hospital care and rehabilitation that is so important in co-ordinating with community services.

The challenges appear to centre on patient flow into beds and delays to discharge. We know that there is a historical lack of community mental health services in Norfolk and Suffolk, and investment has not been available to increase them at the necessary speed and rate. There are challenges with housing providers in the area not necessarily working closely enough with the trust, and there are also the pressures on social services that we know too well exist across the country. Those pressures are very relevant in Norfolk and Suffolk, where we have a lot of older patients with dementia who are struggling to be discharged effectively into the community because of delays in receiving adequate social services. A lot of the blame for that has been attributed to the mental health trust, but many factors are beyond its control.

The trust also faces significant challenges with the quality of its buildings infrastructure. Many of its buildings are old and not fit for purpose. The capital budget has not been available to improve the buildings, although there has been some new building work. I will come on to that in a moment.

Sandy Martin (Ipswich) (Lab): My meetings over the past three weeks with the new chief executive and others have given me cause to hope that the structural problems are now being addressed. A new co-produced community services partnership, commissioned by the clinical commissioning groups and involving Norfolk and Suffolk NHS Foundation Trust, Ipswich and West Suffolk hospitals, the county council and the GP federation, is embarking on a level of integration that has never been tried before in the United Kingdom, working with district councils, schools and the voluntary sector to make mental health everyone’s business. Does the hon. Gentleman agree that the Government have a real interest in seeing whether that model can succeed? Will he support me in calling on the Minister to provide sufficient pilot funding for the project, so that Norfolk and Suffolk NHS Foundation Trust can recruit the staff it needs to make the new model capable of success?

Dr Poulter: I thank my constituency neighbour for that intervention. I entirely agree with everything he says, although I am not sure it is quite so pioneering—I think the hospitals in London would probably disagree with that. There is a lot of good work going on in London built around exactly that sort of model of more integrated care.

One of the challenges faced by the trust in the past, and which mental health trusts in general face, is the failure of many partner organisations to properly engage on issues such as the provision of adequate social care for patients with chronic and long-term mental illness and dementia. There is also the failure of housing providers to be involved and of the police to be properly involved. There is a big overlap between some people with mental ill health and presentation to the police, when they would be better looked after by the NHS.

This project is the right way forward, with more integration of services and better integration between mental and physical health. Many patients with chronic mental health needs have physical health problems. They are sometimes a side-effect of the drugs, but are often a result of a chaotic lifestyle. Better joined-up working with the local NHS undoubtedly has to be a good thing. For that to be effective, however, as we have seen in some pilot projects in London, there needs to be the funding to deliver it. The mental health trust is not in the best financial shape—I will come on to that...
later—and support from the Government through funding for this innovative way of working, which I think is certainly a first in a rural area, would be very welcome. I hope the Minister may be able to provide some reassurance on that this evening.

Peter Aldous (Waveney) (Con): I congratulate my hon. Friend and constituency neighbour on securing the debate. Before he goes on to talk about the money, which is very important, does he agree that it is very important that the trust promotes and endorses local, tailor-made initiatives such as the trauma-informed approach currently being promoted in Lowestoft by mental health champions Tod Sullivan and Paul Hammond?

Dr Poulter: Yes, that is absolutely the right way to provide integrated services and joined-up care, because we cannot necessarily have a one-size-fits-all approach across Suffolk or Norfolk. We need to look at the local healthcare need. That is partly about working not just with housing providers, social services providers, primary care and GPs, as I believe is happening in my hon. Friend’s constituency, but with the voluntary sector, other third sector providers and local charities, many of which have knowledge of the needs of patients, families and carers. When we are providing joined-up, holistic mental healthcare, it is just as important to make sure that the approach is joined up and holistic in that regard, and I believe that the project in my hon. Friend’s constituency will have a very good chance of improving services for patients.

Jim Shannon (Strangford) (DUP): Will the hon. Gentleman give way?

Dr Poulter: I will make a bit of progress first and give way in two or three minutes.

The challenge from a lack of bed capacity is acute; 36 beds have been closed in recent months, 28 of them temporarily to be reopened as soon as possible. One of the challenges, as my constituency neighbour, the hon. Member for Ipswich (Sandy Martin) said, comes from the lack of joined-up working and a failure of commissioners, to some extent, to work collaboratively with the trust to identify short-term solutions. None of us wants to see patients travelling outside Suffolk. The commissioners have not worked well with the trust, because beds are available. My neighbour, my hon. Friend the Member for Bury St Edmunds (Jo Churchill), who is unable to speak because of her Government role, my hon. Friend the Member for Bury St Edmunds (Jo Churchill), has rightly highlighted that bed capacity is available at the Chimneys in Bury St Edmunds—18 beds, including specialist eating disorder beds, which are available and could be commissioned if the commissioners worked more collaboratively and supported the leadership of the trust more effectively. I hope that will come out of the collaborative and pioneering work on which the trust’s partners are now supporting it.

None the less, there are some positive things to point towards. Building work is going on to deliver some new wards, and it is hoped that Lark ward in Ipswich, the psychology ward, will be able to reopen in the middle of this year. There are hopes that more can be done for child and adolescent mental health services, with continuing expansion in the number of beds.

Jim Shannon: I congratulate the hon. Gentleman on securing the debate. I sought his permission to intervene beforehand and told him why I wanted to. With the prevalence of mental health issues 25% higher in Northern Ireland than in the rest of the United Kingdom, and with our NHS unable to meet the demand on the service, does he not agree that mental health reform must be UK-wide and undertaken urgently, before people who simply need a bit of help to cope become people who need in-patient care and a strong drug regime to survive? Do it now and it can stop problems later.

Dr Poulter: I agree entirely with my hon. Friend. He is always a strong advocate for the needs of his Strangford constituents. He is right to highlight that early intervention and early support can be very effective. That is partly because it often prevents some of the other unwanted effects of having a mental illness. When people have been untreated for a long period, they may well lose their job and struggle with their relationships. A number of the support and protective factors that can help to support someone through mild and moderate ill health, such as being in work or in a supportive relationship, can be lost. If we can do more to help people in the early stages, that is a good thing—quite apart from it potentially reducing the number of acute admissions later on.

I want to make the important point that the staff shortages at the trust are one of the major challenges that need to be addressed. It is frankly, and I do not use this word lightly, I do not think I have ever used it before, even though we often hear it used by politicians—a scandal that there is such a shortage of staff at Norfolk and Suffolk mental health trust. I hope the Minister can think of better ways to fund and support the trust. Without enough staff, it cannot expand services or deliver safe services. The trust has struggled with CQC inspections because there are not enough staff on the ground to deliver the care it wants to deliver. That is not entirely the fault of the trust, however; as it is constrained by its funding.

I will outline some of the issues that the trust faces. It has had difficulty recruiting band 5 registered mental health nurses—there are approximately 125 full-time vacancies; there are 35 full-time equivalent vacancies for psychiatrists, partly owing to a national shortage, but also owing to particular challenges in the east of England; almost one in five medical posts at the trust are vacant—that means that doctors who should be there treating patients are not because of staff shortages; and 16.02% of qualified nursing posts are vacant. That is not acceptable or sustainable. If we are to improve patient care and help the trust to turn around, the fundamental issue of recruitment has to be addressed.

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There are fewer than 15 psychiatrists per 100,000 people in the region, which is much lower than the national average. In fact, the east of England has the fewest psychiatrists per head of population in the country.

Doctor recruitment is not a good story either. Issues with the junior doctor contract might not have helped, but we are where we are. Recruitment for CT1 junior doctors in 2017 saw only 16 of 45 vacancies filled—that is 36%—so only one third of the number of doctors who should have started training at CT1 level are working in the trust. That is a big rota gap to fill and will of course affect patient care. In 2015-16, about one third of ST4 vacancies in child and adolescent psychiatry
were filled. In general adult psychiatry, which is the bread and butter of psychiatry, only nine of 18 posts were filled in 2015. In 2017, only five of 22 posts were filled. As a result, that means that of posts for registrar trainees in general adult psychiatry are filled. The story goes on and is equally bad in older-age psychiatry—and we have a lot of older people with dementia to look after in the east of England.

Recruitment, then, is vital. We have to do more to recruit psychiatrists. The current strategies are not working, so I ask the Minister to look at what has been successful overseas—in Queensland, Australia, and other places—and to put financial incentives in place to support nurses and doctors to come and work in the east of England, because at the moment patients are paying the price for a lack of doctors on the ground. The trust is doing its best to recruit, but it needs extra financial support through Health Education England, and it needs to be given support and the go-ahead from the Department. We know from elsewhere in the world that financial incentives work in rural and coastal areas, as long as doctors and nurses are helped with a relocation package. The Department’s successful health visitor programme is a good example of how financial incentives can work. I hope she will look at that.

The pressures on the trust’s finances have been there for many years—since the merger of Norfolk and Suffolk mental health trusts—and we know that mental health has been underfunded nationally for decades. The trust needs £9.2 million to meet CQC recommendations for improvement. Some £4 million can be funded from the capital budget, but given that the CQC has criticised the building’s infrastructure, it seems ironic to raid the capital budget for buildings and infrastructure and put it into the revenue budget to deal with immediate quality of care issues.

Even with that £4 million, however, there is still a shortfall of £5.2 million, and that was the subject of a recent funding bid to NHS England. The bid will be resubmitted fairly soon, and I hope the Minister will encourage NHS England to look favourably on it. It is important that the trust is given the financial wherewithal to deal with the quality issues raised by the CQC, to reinvest in vital community services and to undertake the vital work on integration that my constituency neighbour, the hon. Member for Ipswich, mentioned in his intervention.

There is some positive news. The ligature reduction project is proceeding successfully, and some good work is being done in the rebuilding programme at Chatterton House. The Norfolk and Waveney perinatal mental health service was launched in September. I pioneered support for the expansion of perinatal mental health services when I was a Minister, and I am pleased to see that it is now happening on the ground. In February a specialist perinatal mental health service was launched in Suffolk, which is a very good development. However, severe challenges remain and need to be addressed.

Finally, let me say something about services for patients with addictions. I will be brutally honest: I think that we created a problem with effective addiction treatment through the Health and Social Care Act 2012. The commissioning of addiction services has been transferred to local authorities, although the bulk of mental health services and physical health care for patients with addictions is still run by the NHS.

In the east of England, the amount invested in drug misuse services has been reduced by about £6 million over the last four years. Drug misuse is a serious challenge in areas such as Lowestoft, Ipswich and Norwich, not just as a result of underfunding but because those services are not working in a joined-up way with mainstream physical and mental health services. That must be addressed as a matter of urgency, because patients are falling through the net and not receiving the holistic care that they need. Many end up in the criminal justice system as a result, and the police and, in some cases, communities are picking up the pieces because of the failure to provide joined-up care for those patients. The lack of substance misuse services as part of any NHS system affects the dynamics and practicalities of good care, such as the sharing of information. Barriers are created, and the good intentions of staff on the frontline are undermined. That has an adverse effect, and I am sure that we will continue to see a rise in the number of drug-related deaths as a consequence.

Let me ask the Minister some questions. What additional support can be offered to the trust to help it to deal with its historical and current financial challenges and transform its services in the wake of the CQC’s report? There is a shortfall in funding; the trust has submitted a funding bid, and I hope that the Minister will support it. What additional resources can be made available to improve the recruitment and retention of psychiatrists and nurses, and what can be done to attract junior doctors to the east of England? One in five doctors who should be at work are not there because of staff vacancies. What steps are being taken to stop the transfer of patients out of area for treatment? Finally, what can be done to ensure that there is proper integration of addiction services with mental health services in our region, to ensure that patients are given a better deal?

It is time for the rhetoric about mental health to join up with the reality, and for patient care to improve. It is time for Norfolk and Suffolk mental health trust to be given the support that it needs, so that it can do the best for its patients.

7.43 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): I congratulate my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter) on securing this important debate. I also acknowledge his own contribution to the NHS, not just as one of my predecessors but, as he has explained, as a doctor. He was entirely right to raise in the House the challenges facing his mental health trust. I am not in any way sanguine about those challenges, but we are determined to see the trust perform better for my hon. Friend’s constituents and for people throughout Norfolk and Suffolk.

My hon. Friend raised a number of issues, which I shall do my best to address. He mentioned the trust’s bid for £5.2 million of capital with which to raise its facilities to an appropriate standard, as advised by the CQC. We received a number of good bids, some of them from trusts that were more financially distressed than my hon. Friend’s and others that required more improvements. We could not meet all the bids that we wanted to, but may I, through my hon. Friend, encourage the trust to bid again, as we will look at it sympathetically? I hope that gives due encouragement for it to do so.
My hon. Friend is right that there are very challenging recruitment issues for that trust, and, as he has said, the vacancy rates for doctors are 19% and 16% for qualified nurses. That is particularly high. Central to dealing with that is the issue of leadership. We have a new chief executive in place, a new director of human resources, and a new director of nursing, and we are looking to them to lead the effort to recruit the necessary staff. The trust is also taking additional actions to deal with this. Hotspot areas have been identified and focused action plans are being implemented. As my hon. Friend said, this will include premium payments to encourage recruitment and help attract doctors and nurses to those locations. The trust is also running a series of recruitment campaigns and careers fairs, and is reviewing its skills mix and the appropriate balance of service.

Rather than just leaving vacancies open, it is looking at using more occupational therapists and assistant psychologists, and at developing advanced practitioners. We are relying on good local leadership to deal with some of these challenges, but we pay close attention to what is happening there, and we will assist in any way we can to facilitate that improvement.

My hon. Friend mentioned out-of-area placements. At one time they were particularly high, but I am pleased to report that the trust has done a great deal to bring the number of out-of-area placements down. I am told that, as of today, there are eight intensive care out-of-area placements. That represents a massive downward trend from the high point of February this year, but the situation must be closely monitored, and I look forward to there being more co-operation and collaboration between the clinical commissioning groups, through the sustainability and transformation partnerships process, to make sure that there is the appropriate bed mix in the right places for that service to continue to be delivered.

An interesting point was made about integrating with other services, particularly housing, the police and addiction services. I believe that silo policy making tends to end in failure, and my hon. Friend is right that we must be much more joined-up and perhaps have interventions earlier in the process. There are particular points for intervention, such as when people start to hit the criminal justice system due to their addictions. Times of housing crisis also tend to be times when people are particularly vulnerable, and we are looking closely at that. I am not going to pretend anything is perfect; all the issues my hon. Friend raised tonight are entirely valid, and we are looking at them closely.

Turning to local action to put things right, since the CQC report, NHS Improvement has supported the trust to address the major safety concerns and is chairing monthly meetings with stakeholders to monitor progress on improvement. I am also mindful, however, that the CQC might well re-inspect against the areas identified in the warnings notice imminently, which is only right. That will give us more intelligence about what needs to be fixed.

Central to our approach is that all patients must be kept safe and receive the highest quality care. My hon. Friend mentioned the number of bed closures; that was driven entirely by issues of patient safety. Those beds were on wards that were particularly undermanned, but the intention is that those facilities will be reopened once a safe level of staffing can be guaranteed.

I am pleased that the new chief executive officer has been appointed and that he started work yesterday. He has quite a big to-do list, it has to be said. Leadership is so often the crucial ingredient in resolving endemic issues such as safety and recruitment, and we will have a completely refreshed leadership team, including a new chief operating officer, a new director of nursing and a new HR director. We will be looking to that team to build the foundations to tackle the problems that my hon. Friend has identified. It is also important that we, along with NHS England and the Care Quality Commission, continue to support the trust as it leads itself out of these difficult circumstances. Further support is being given by an improvement director from the East London NHS Foundation Trust, which is rated as outstanding by the CQC and will act as a buddy trust. That support will focus on quality improvement.

There is not much more I can say in the limited time I have left, but I can tell my hon. Friend that this is obviously not going to be tackled overnight, and my door is always open if he wants to raise these issues again. However, we now have new leadership in place with a focus on tackling recruitment, and I believe that we can make progress. I re-emphasise that I encourage the trust to bring forward another bid for that capital.

Question put and agreed to.

7.51 pm

House adjourned.
Deferred Division

TRIBUNALS AND INQUIRIES

That the draft First-tier Tribunal and Upper Tribunal (Composition of Tribunal) (Amendment) Order 2018, which was laid before this House on 22 February, be approved.


Division No. 147):

AYES

Adams, Nigel
Afolarin, Bim
Ahiru, 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
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Bradford, Alex
Brawerman, Suella
Breer, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burgart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishi, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Court, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duguid, David
Duncan, rh Sir Alan
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazier, 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 Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Graying, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Gries, rh Mr Dominic
Griffiths, Andrew
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, rh Damian
Hoare, Simon
Hollingbery, George
Hollinsdale, 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
Jenkyns, Andrew
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keeghan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Leffroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Liddington, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, rh Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milking, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh 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, rh Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
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
Deferred Division

2 MAY 2018

Deferred Division

Smith, Henry
Smith, rh 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, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohurist, Kelly
Tomlinson, Michael
Tracey, Craig

Tredinnick, David
Tredrelyan, Mrs Anne-Marie
Tugendhat, Tom
Vaiazy, rh Mr Edward
Vara, rh Mr Shailesh
Vickers, Martin
Villiers, rh Therese
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Gray, Neil
Greenwood, Lilian
Greenwood, Margaret
Grogan, John
Gwynne, Andrew
Hanson, rh David
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendry, Drew
Hepburn, Mr Stephen
Hilliard, Meg
Hobhouse, Wera
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Howarth, rh Mr George
Huq, Dr Rupa
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Keelty, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lammy, rh Mr David
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.

Lynch, Holly
MacNeil, Angus Brendan
Mahmoon, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McFadden, rh Mr Pat
McInnes, Liz
McMorrin, Anna

Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
Onasanya, Fiona
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Pidcock, Laura
Rashid, Faisal
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reynolds, Emma
Reynolds, Jonathan
Rodda, Matt
Rowley, Danielle
Ruanne, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Skinner, Mr Dennis
Smith, Angela
Smith, Cat
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Sobel, Alex
Stephens, Chris
Stevens, Jo
Sweeney, Mr Paul
Swinson, Jo
Tami, Mark
Thewliss, Alison
Thomas-Symonds, Nick
Timms, rh Stephen
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Watson, Tom
West, Catherine
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Wilson, Phil
Yasin, Mohammad
Zeichner, Daniel

Question accordingly agreed to.
Oral Answers to Questions

EXITING THE EUROPEAN UNION

The Secretary of State was asked—

Negotiations

1. Gavin Newlands (Paisley and Renfrewshire North) (SNP): What recent progress he has made on negotiating the UK’s exit from the EU. [905107]

4. Mr John Whittingdale (Maldon) (Con): What progress he has made on negotiating the UK’s future relationship with the EU. [905114]

6. Antoinette Sandbach (Eddisbury) (Con): What recent progress he has made on negotiations on the UK leaving the EU. [905117]

7. Hannah Bardell (Livingston) (SNP): What recent progress he has made on negotiating the UK’s exit from the EU. [905118]

10. Stephen Gethins (North East Fife) (SNP): What recent progress he has made on negotiating the UK’s exit from the EU. [905127]

11. Sir Desmond Swayne (New Forest West) (Con): What progress he has made on negotiations to agree the terms on which the UK will leave the EU. [905128]

The Secretary of State for Exiting the European Union (Mr David Davis): Clearly, great minds think alike today, Mr Speaker.

We have made significant progress in negotiating our exit by agreeing on the terms of a time-limited implementation period and locking down entire chapters on the financial settlement and citizens’ rights. Negotiations are ongoing. My officials are in Brussels this week, discussing a number of issues, including issues in the agreement such as Euratom, data and intellectual property rights and the future partnership. They are discussing how we should progress the future economic partnership and how we can progress the negotiations swiftly and in parallel. Northern Ireland—particularly human rights, state aid and, to some extent, agriculture—is also being discussed. Today, in Brussels my officials are discussing the future of the security partnership.

Gavin Newlands: There is now a clear consensus in this Parliament that, at the very least, the United Kingdom should enter into a customs arrangement with the EU post Brexit, but after another indecisive Brexit Cabinet Sub-Committee meeting, the Government, after two years, have still failed to reach an agreed position on the customs issue. Every 42 days, the Government lose a Cabinet Minister, and the Secretary of State is 6:1 third favourite to be the next to go. Those are good odds, if you ask me. If the eventual will of the Cabinet and the Prime Minister is to seek a customs arrangement with the EU, will the Secretary of State resign?

Mr Davis: I am not sure whether it is constitutional to discuss my resignation, but I will say that I do not take it to be imminent.

The simple truth is that this is a complex and important issue, which will affect our country for generations. It has a direct effect on the sensitive issue of Northern Ireland and the peace process there, which we are committed to protecting at all costs. It is therefore no surprise that it will take some time to nail down the policy.

Mr Whittingdale: Conservative Members are confident that my right hon. Friend will achieve the best possible outcome for this country in the negotiations and will continue to serve this country for a long time thereafter. Will he confirm, however, that his task will not be made any easier—indeed, it will be made considerably harder—by some of the amendments to the European Union (Withdrawal) Bill that have been passed in the other place? Does he agree that they will need to be repealed when they come back to this House and that the Lords will press them at their peril?

Mr Davis: I thank my right hon. Friend for his forecast, or his good wishes—one or the other—

Mr Speaker: Have it framed.

Mr Davis: I have some much more pertinent things than that to frame, Mr Speaker.

My right hon. Friend is absolutely right. The European Union (Withdrawal) Bill is essential and is in the national interest. Some of the amendments passed in the other House—and the upper House does a very important job, as a reviewing House, in improving the quality of legislation—could have the effect of undermining the negotiation. That is a matter of critical national interest, and we will have to deal with it accordingly.

Antoinette Sandbach: Does the Secretary of State agree with the finding of the Northern Ireland Affairs Committee that there is currently no technological solution to the problem of the Irish border?

Mr Davis: We have said categorically that there will be no physical infrastructure or related checks and controls at the border between Northern Ireland and the Republic. We have set out clear commitments in relation to the border and have put forward two potential customs models, to which the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) alluded.

I have always said that the best solution to the Northern Ireland border issue will be reached through the deep and special partnership between the United Kingdom
and the European Union, recognising the unique circumstances of Northern Ireland. As the European Commission has itself acknowledged, solutions to the border issue cannot be based on precedent.

Hannah Bardell: Given the fankle that the Secretary of State and the Government have got themselves into in the other place, have not the EU negotiations now descended into a game show parody? The question is, is it “Deal or No Deal”, or has the whole situation just become a bit “Pointless”?

Mr Davis: The hon. Lady clearly memorised her question before she heard my answer. A huge amount of incredibly important work is under way, most notably on Northern Ireland. I would not reduce that to a parody.

Stephen Gethins: The Secretary of State will be aware that universities in the UK punch well above their weight in terms of research funding, not least the universities of Dundee and St Andrews. Given that universities across Europe are planning for the next framework programme, what plans has he to ensure that those in the UK will have access to the same levels of funding on 1 January 2021?

Mr Davis: The Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), has visited Dundee and is very much across that issue. We have given undertakings in relation to guaranteeing the funding of the universities, but if the hon. Gentleman is interested, he can certainly discuss this with me explicitly, so that we can deal directly with the issue of the universities in his constituency.

Sir Desmond Swayne: With what level of confidence does the Secretary of State estimate the probability of our leaving the customs union on 31 December 2020?

Mr Davis: Will 100% do?

Sir Desmond Swayne: Excellent.

Mr Davis: Let me make a serious point here. The issue of leaving the customs union plays directly to the issue of how we manage our future export and trade arrangements. Almost 60% of our exports are now going to the rest of the world. That is not surprising because both the International Monetary Fund and the European Commission itself have said that the vast majority of growth in world trade will come from outside the European Union. It is our explicit aim to make the most of that, and that means we have to leave the customs union.

Stephen Timms (East Ham) (Lab): Will the Secretary of State set out for the House the characteristics of the customs partnership that he is discussing with his right hon. Friends, and given that according to reports that is the Prime Minister’s preferred way forward, what are the reasons for holding back on it?

Mr Davis: There are two models. The streamline model essentially uses conventional techniques used around the rest of the world, including electronic pre-notification, the use of authorised economic operators and a whole series of other technical mechanisms. The alternative proposal—the new customs partnership—is a brand-new idea; it has never been tested anywhere in the world and involves, essentially, charging the common external tariff when goods enter the country and then rebating that. Both approaches have merits and virtues, and both have some drawbacks, and that is why we are taking our time over this discussion.

Mr David Jones (Clwyd West) (Con): Given that membership of the European Union necessarily means being in the single market and the customs union under the jurisdiction of the European Court of Justice, does my right hon. Friend agree that, to keep faith with the British people, this Parliament has a positive duty to ensure that upon withdrawal we cease to be subject to all those arrangements?

Mr Davis: My right hon. Friend is correct: what we are doing, after all, is carrying out the judgment of the referendum, which was to take back control of borders, laws and money. During the referendum, both sides made it very plain that real removal from the EU means real removal from the customs union and the single market.

Paul Blomfield (Sheffield Central) (Lab): They might be over-represented in the Secretary of State’s ministerial team, but supporters of the European Research Group constitute less than 10% of the membership of this House. Why are the Government putting their red lines before the interests of the country?

Mr Davis: I wish the hon. Gentleman a happy May Day this week, but he is basically putting—how can I express this in parliamentary language?—a non-fact in front of the House. The case is very simple: the Government are deciding on the future customs arrangements on the basis of the best interests of the United Kingdom.

Paul Blomfield: I am grateful for the right hon. Gentleman’s May Day wishes, and I am sure that he will be celebrating as well. The Engineering Employers Federation says that being outside a customs union “would condemn the manufacturing sector to a painful and costly Brexit.”

Does he really think that is a price worth paying to keep the ERG happy?

Mr Davis: I am not going to take lectures from a party that has had 11 different positions on this so far and whose own—[Interruption. I am speaking through the Speaker, thank you very much. And a party whose own policy has been roundly criticised in singularly unparliamentary language by its own shadow Secretary of State for International Trade, the hon. Member for Brent North (Barry Gardiner).

Space Industry

2. Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): What recent assessment he has made of the effect of leaving the EU on the UK space industry.

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): The UK space industry is a global success story, leveraging our expertise and talent to deliver ground-breaking products and

[905108]
services, and we want a UK space industry that captures 10% of the global market by 2030, creating 100,000 new jobs—astronomical levels! Ministers from across the Government have carried out extensive engagement on EU exit, and this has included engagement with the space sector. We have been clear in our desire to continue our involvement in EU space programmes, including Galileo, provided that the UK and UK companies can continue to participate on a fair and open basis.

Jamie Stone: I thank the Minister for her answer. Whatever the future holds for us in the UK, we are going to have to play to all our strengths, intellectually and economically. She will be aware that Her Majesty's Government are currently considering the northern part of Sutherland in my constituency as a possible space launch site. Jobs do not exactly grow on the trees in that part of the world, and I would warmly encourage the Government to go down the route of developing the site there. It would mean a great deal to me, to my constituents and to an area that needs the help.

Suella Braverman: The hon. Gentleman raises a crucial point relating to the development of our domestic space strategy, and Scotland has a strong heritage in the sector. For example, Glasgow has built more satellites in the past two years compared with other European cities, and we also have the Prestwick aerospace park, Strathclyde University and many companies breaking new frontiers. We want the UK to reach space from our own shores, and we recently passed the Space Industry Act 2018, which is the first key step towards licensing the first missions from the UK into space. Brexit will not pose a barrier to our journey into space.

Mr John Hayes (South Holland and The Deepings) (Con): The ancients named the planets after their gods. In affirming that the United Kingdom will continue to lead geo-galactic enterprise and innovation across the continent, will the Minister explain how, goddess-like, she changed her name and tell us what role she intends to play in promoting the United Kingdom in this place, on earth and across the cosmos?

Suella Braverman: My right hon. Friend sets the bar very high. I thank him for his question, for his stellar contributions and his work with the space sector, and particularly for his work on the Space Industry Act, which, as I said, has paved the way for our domestic policy. His reference to my goddess-like status is slightly exaggerated, but I would expect nothing less of him. Even in this space age, it takes a brave woman to follow tradition and change her name following marriage. He is right to suggest that the UK’s historic strength in the space sector will be secured as we leave the European Union and develop our own new partnership with our allies across the channel. It is in that spirit, boldly going where no woman has gone before, that I can tell the House from the Dispatch Box that, as of today, I am pleased to be known as Suella Braverman.

Mr Speaker: We are delighted for the hon. Lady, and we congratulate her on that. I would also say that, in the 25 years that I have known the right hon. Member for South Holland and The Deepings (Mr Hayes), he has always inhabited his own galaxy and been the most shining star in it.

Norman Lamb (North Norfolk) (LD): I should like to add my congratulations to the Minister. With regard to the Galileo programme, it is reported that the procurement process will freeze out UK participation in the programme. I know that the Science Minister met representatives of the European Space Agency on Monday. Will the Minister provide an update on efforts to freeze the procurement and sort out this mess, because 400 jobs in this country are dependent on getting it sorted out?

Suella Braverman: I thank the right hon. Gentleman for his question. The Government have been clear that there is mutual benefit in the UK’s involvement in Galileo, and we are working hard with our European partners to deliver this outcome. However, as the Secretary of State for Business, Energy and Industrial Strategy made clear in his letter to Ministers in the other 27 EU member states on 19 April, that involvement must be on terms that the UK considers acceptable, including being fair and open to the UK and UK industry. That is why the Prime Minister has announced that she will task engineering and space experts in the UK to develop options for a British global navigation satellite system that would safeguard our position in terms of navigation and timing information.

Ian C. Lucas (Wrexham) (Lab): Successful space businesses such as Airbus provide thousands of jobs in the UK, and their success has been built on an open, free supply-chain system with the EU. How will the Minister obtain the agreement of EU partners for the continuation of that system?

Suella Braverman: There has been considerable engagement with Airbus. The Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), has met representatives from Airbus, and I have visited its site in Portsmouth. We want full access to Galileo, including the crucial secure elements that will help to guide British missiles should they be needed to keep us all safe. This is a commercial matter for Airbus, so it would be inappropriate for me to comment, but I can say that the Government have been in close contact and will continue to work with the entire UK space sector to do all that we can to ensure that the UK is able to contribute fully to the Galileo programme.

Northern Ireland/Republic of Ireland Border

3. Karin Smyth (Bristol South) (Lab): What recent progress has he made on securing an agreement with his EU counterparts on border arrangements between Northern Ireland and the Republic of Ireland after the UK leaves the EU?

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): Officials are undertaking an intensive work programme with the European Commission and the Republic of Ireland to negotiate in detail all the issues and scenarios set out in the joint report at the March Council. As the Government made clear in the joint report published in December, we are absolutely committed to avoiding a hard border between Northern Ireland and Ireland, including any related checks and controls, as the UK leaves the EU.
Karin Smyth: At the previous DEeU questions, my hon. Friend the Member for Darlington (Jenny Chapman) and I generously invited the Secretary of State to visit Northern Ireland. It was a bitter blow that he refused our offer, but we were pleased that he did manage to visit. Will he or the Minister tell us what people on the border thought about his proposed solution?

Mr Walker: As the hon. Lady acknowledged, the Secretary of State did indeed visit Northern Ireland last week, as did the Chancellor of the Duchy of Lancaster and Minister. I have also visited on several occasions, including visiting the border and speaking to cross-border businesses. Everyone understands the importance of having frictionless movement of people and goods across that border. That is the aspiration of both the UK and the Republic of Ireland, and it is something that we will continue to pursue through the talks.

Mr Gregory Campbell (East Londonderry) (DUP): Monsieur Barnier was at the border last week, and I am afraid that his diplomatic skills were found wanting yet again. Does the Minister agree that Monsieur Barnier should, in the intensive discussions that he is having, take some time to look at the massive hole that will be left in the EU budget after we leave and perhaps turn his mind to the political problems that there will be in Hungary, France, Germany, Poland and elsewhere, with the far right turning away from Europe, after he is done with ours?

Mr Walker: The hon. Gentleman makes a powerful point. We need to ensure that we progress the negotiations in the interests of the United Kingdom and have a strong, friendly partnership with the EU after we leave. That should be our focus, and issues relating to the Irish border are a key part of that engagement.

Peter Grant (Glenrothes) (SNP): It is now over 15 months since the Prime Minister promised that the Government would as a priority bring forward a practical solution to the question of the Irish border. Will the Minister enlighten us on when we might get that practical solution to consider?

Mr Walker: We have put forward several proposals, which we are still in the process of discussing with the Commission. It is vital that we have agreed on a number of key areas in the joint report, such as the common travel area, the single electricity market and funding in Ireland, and it is right that we get the talks right so that the right language is written into law at the end of the process for both sides to follow.

Peter Grant: The Minister and his colleagues are good at telling us what the Irish border will not be, but we are still no closer to having any idea about what it will be. This question could easily have been linked to the previous one, because the Government’s proposed solution still belongs in the realms of science fiction. If the Minister cannot tell us when we will get to see the practical solution that was promised as a priority, will he at least give us an end date—an absolute guarantee—by which, as a matter of confidence, the Government will have brought forward something that is practical or, at the very least, credible?

Mr Walker: As I said, the talks are continuing, and we are seeking to reach agreement on the full text of the withdrawal agreement by October this year, as has been set out many times by both the Commission and the UK Government.

David Hanson (Delyn) (Lab): Has any expenditure been made or contracts entered into by any Department in relation to any equipment that might constitute monitoring at the border between Ireland and Northern Ireland?

Mr Walker: We have been absolutely clear about there being no infrastructure at the border, so I am pretty certain that the answer to the right hon. Gentleman’s question is no.

Jenny Chapman (Darlington) (Lab): Sixty Conservative MPs are attempting to determine the outcome of this decision. They are attempting to bully the Prime Minister into their preferred option. Will the Minister, who I know approaches this issue with particular care, take this opportunity to explain to his colleagues why their preferred option, the so-called “max fac” or maximum facilitation option, is not suitable?

Mr Walker: I simply do not recognise the hon. Lady’s characterisation of the discussion. The reality is that we have put forward two options in the customs paper, both of which are designed to facilitate the most frictionless border between Northern Ireland and the Republic. The max fac option, combined with issues such as the local trade exemption, could provide a solution in that respect. As the Secretary of State has said, both options are still under consideration.

Non-UK EU Citizens

5. Alex Cunningham (Stockton North) (Lab): What progress has been made during negotiations on agreeing new arrangements for the rights of non-UK EU citizens after the UK leaves the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): As hon. Members will be aware, we have reached a reciprocal agreement with the EU that safeguards the rights of EU citizens in the UK and the rights of UK nationals in the EU. This agreement, highlighted green in the withdrawal agreement, means that citizens who are resident before the end of the implementation period will be able to continue living their lives broadly as they do now. The Government are now focusing on the successful domestic implementation of this agreement, and we are seeking further details on the steps that member states are taking to protect the status of UK nationals resident in the EU.

Alex Cunningham: Following yesterday’s debate about the Windrush generation and the Prime Minister’s decision to hide the whole business behind a cloak of secrecy, what plans does the Minister have to talk to the Home Secretary to ensure that the process to deal with EU nationals will be open and transparent, and to ensure that their right to remain is fully protected, so they do not fear removal at some unknown date in the future?
Suella Braverman: Like the new Home Secretary’s parents, my parents came to this country in the 1960s as immigrants from Commonwealth countries, and they too could have been caught up in the Windrush episode. I would not be standing here as a proud Member of the Conservative party and of this Government if I had any doubt whatsoever about the commitment of the Prime Minister and the Government to resolving this issue quickly and ensuring it is not repeated.

It is with that confidence that we are learning and implementing the settlement scheme for EU citizens, which will be efficient, simple, user friendly and reliable, to ensure that the rights of EU citizens post Brexit are safeguarded rigorously and robustly.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I admire the Minister’s confidence, but I wonder whether she has had conversations with her colleagues in the Home Office, which has now declared an amnesty on Commonwealth citizens and is having to implement a helpline and support for the Windrush generation. That will extend to others, and the Home Office is also having to introduce, by November, the new fast-route EU citizens settlement programme. Does she seriously believe that, practically, the Home Office and the Government have the resources to deal with this, and can she reassure my constituents?

Suella Braverman: The UK has been clear that EU citizens in the UK will be able to enforce their rights directly in UK courts, and that will be fully incorporated into UK law in the withdrawal agreement. We have also agreed there will be an independent monitoring authority to oversee the implementation and application of citizens’ rights and of that agreement in the UK. The authority will be able to receive complaints from EU citizens and their family members, and it will be able to conduct inquiries. Those robust mechanisms, rights and frameworks will be given legal status in the withdrawal agreement and in the implementation Bill.

Mark Tami (Alyn and Deeside) (Lab): My constituent is currently working on a five-year project in France, and his Bulgarian wife is staying with him. What is her status, post Brexit, to return to stay in the UK with her husband and their two children?

Suella Braverman: As an EU national married to a UK citizen, if she has been here for the requisite number of years before the implementation period, her rights will be broadly the same as they are now. We want to ensure that she will have the same abilities and rights as she is able to enjoy today.

Fisheries Policy

8. David Duguid (Banff and Buchan) (Con): What discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on negotiations on fisheries policy for when the UK leaves the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): We continue to have regular conversations with ministerial colleagues across Government on all aspects of exiting the EU, including on fisheries policy. The Government have been absolutely clear that when we leave the EU, and at the end of the implementation period, we will be an independent coastal state, managing our fisheries and controlling access to our own waters.

David Duguid: I am grateful to my hon. Friend for his response. He will have seen the joint statement released by the Scottish Fishermen’s Federation and the National Federation of Fishermen’s Organisations earlier this week. Will he join me in backing the clear, clean and achievable goals that the UK-wide fishing industry is united behind?

Mr Baker: I can tell my hon. Friend that I have read that statement with care and that we do share its ambitions. Ministers fully understand and recognise that fishing is of totemic importance to not just the fishing community but the UK as a whole—this goes way beyond its contribution to GDP. We take that knowledge forward as we go into these negotiations, working to deliver that status as an independent coastal state, with all that that entails.

Alan Brown (Kilmarnock and Loudoun) (SNP): In order to demonstrate that Scottish fisherman will not be treated as expendable once again, have the Minister’s discussions focused on control of Scotland’s waters being given wholly to Scotland?

Mr Baker: As we go forward, we will continue to work with the devolved Governments to ensure that there is a settlement that works for the whole of the United Kingdom.

Martin Vickers (Cleethorpes) (Con): Notwithstanding what the Minister has just said and his colleagues have repeated many times, there are lingering doubts among the fishing community in my constituency and in neighbouring Grimsby. Can he give an absolute assurance that no further concessions will be made?

Mr Baker: My hon. Friend and my hon. Friend the Member for Banff and Buchan (David Duguid) are both fierce champions of the fishing cause, and I am sure that they will continue to hold us to account. I say to them that the Government fully understand and recognise the totemic importance of fishing. We will take that understanding forward to negotiations, as we work to become an independent coastal state. I very much look forward to my colleagues on this side of the House perhaps one day standing here as fisheries Ministers, operating our own independent fishing policy.

Kevin Foster (Torbay) (Con): I know my hon. Friend the Minister will recognise that the common fisheries policy has been a disaster for the south-west fishing industry over the past 45 years—it has declined to the point where even if quotas were repatriated, we probably could not actually use them. Will he reassure me that in his discussions with his colleagues he is making sure that we will rebuild the industry, providing the support to do so, to ensure that when powers are repatriated we can actually take advantage of them?

Mr Baker: We will certainly work to take advantage of new powers as they are repatriated. After we have left the common fisheries policy, its two main pillars—mutual
access to waters and the EU allocation of quota—will fall away. Once we have taken back control, I look forward to the regrowth of our own fishing industry, particularly as I originally hail from Cornwall.

**Customs Union**

9. **Sir Henry Bellingham** (North West Norfolk) (Con): What assessment he has made of the effect of the UK remaining in the customs union on its ability to negotiate new free trade agreements throughout the world after the UK leaves the EU.  

**Suella Braverman**: We have been clear that we are leaving the EU’s customs union and single market in March 2019. Only by doing so will we be able to set out our own tariffs on goods, deliver our own trade policy with the rest of the world and open markets for UK businesses. All of these are golden opportunities for our nation that will enable more growth, prosperity and jobs—I am sure my hon. Friend will be looking forward to this opportunity.

**Sir Henry Bellingham**: I am delighted I have got the services of the dynamic new young Minister. I am very grateful to her for reinforcing the point that if we stay in the customs union, that will mean that Brussels retains control of our trade policy. Will she tell the House and explain to me why, given that we have the sixth largest economy in the world and English is the language of international trade, some people are so nervous about the UK having its own trade policy?

**Suella Braverman**: My hon. Friend makes an excellent point. We have so many strengths in our country, which make us well placed for our future outside the EU and its customs union. Some 90% of future global growth will come from outside the EU. We had record high foreign direct investment last year and exports up by 10%, with unemployment down, inflation down and growth up—all of this is despite Brexit.

**Thangam Debbonaire** (Bristol West) (Lab): Does the Minister agree with this from the Institute for Fiscal Studies: “Get a sense of scale, throw in some simple arithmetic and sprinkle a basic understanding of trade and it is obvious that the economic costs of leaving the customs union must outweigh the benefits”?

**Suella Braverman**: No.

**Mr Peter Bone** (Wellingborough) (Con): Will the excellent Minister explain something to me? Say we have our own trade policy with Nigeria, or another developing country, and its food is coming into this country with no tariff. If that country is suddenly told its developing country; I cannot understand why the Opposition will not welcome it.

**Suella Braverman**: The Government set out the two options in our policy papers last summer, and one of those options will be adopted in due course. Free trade has brought unprecedented prosperity to some of the poorest countries in the world. My hon. Friend referred to developing countries: free trade has lifted more than 1 billion people out of poverty by increasing choice and lowering prices for consumers. It will enable us to forge trade agreements with some of the poorer countries in the world, thereby incentivising them to capitalise and industrialise, and to be sustainable and not dependent on aid. This is a great opportunity.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): Is not the reality that trade deals with, for instance, the US and Australia would require concessions on regulatory standards that would create impenetrable trade barriers with Europe? When it comes to trade policy, surely one bird in the hand is better than two in the bush.

**Suella Braverman**: By leaving the single market, we will regain control of our laws and regulatory regimes, which will enable us—Parliament and the Government—to set the terms on which we negotiate any future trade deals with other countries. Let us be clear: we have a trade surplus with countries outside the EU. There is excessive and impressive demand for British goods out there. We need to open our markets so that our businesses can expand their sales and capitalise on this opportunity.

**Jeremy Lefroy** (Stafford) (Con): It is one thing to negotiate free trade agreements—I very much support that ambition—but it is a completely different thing to benefit from them. To do that, we need a much stronger trade network around the world, particularly throughout Africa, where that network is potentially declining. Will my hon. Friend speak to the Chancellor and the Secretary of State for International Trade to ensure that our international trade network is enhanced and not diminished?

**Suella Braverman**: My hon. Friend raises an important point. All those who work at the Department for International Trade are highly focused on how we can forge better links with new markets and new partners through our trade envoys and working groups. This heralds a new beginning and new opportunities for our country; I cannot understand why the Opposition will not welcome it.

**Matthew Pennycook** (Greenwich and Woolwich) (Lab): Research into the Government’s own EU exit analysis was carried out last month by the House of Commons Library, and it suggests that leaving the customs union and ruling out a new comprehensive EU-UK customs union will create new customs barriers that could cost the economy billions over the next 15 years. Does the Minister accept that assessment? If not, what does the Department now put the cost at?

**Suella Braverman**: That analysis does not represent Government policy—it does not assess the Government’s preferred objectives. We are working towards a free trade agreement with the EU that will be as frictionless as possible, so that our businesses can continue to trade with and sell their goods into the EU, and vice versa. That is going to be good for the economy, good for the hon. Gentleman’s constituents and good for the country.

**Farming Policy**

12. **Tom Pursglove** (Corby) (Con): What discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on negotiations on farming policy for when the UK leaves the EU.  

[905130]
Northern Ireland and Great Britain is of critical importance to Northern Ireland’s economy. In 2015, goods sold from Northern Ireland to the rest of the UK stood at £10.7 billion.

Emma Little Pengelly: It is essential to the integrity of the United Kingdom that there are no barriers to internal UK trade, including between Northern Ireland and our biggest market, Great Britain. Can the Minister confirm that, for this Government, this is an absolute red line in all of the negotiations?

Mr Walker: I agree with the hon. Lady: we have absolutely set out that we will not accept any internal barriers within the internal market of the United Kingdom. It is important, in that respect, that the UK Government have been able to reach a deal with the Welsh Government to work together to make sure that we are able to implement frameworks. I welcome the fact that that deal is open to the Scottish Government and to a restored Executive in Northern Ireland.

Kevin Brennan (Cardiff West) (Lab): Does not the integrity of the UK depend on the Good Friday agreement and the Good Friday agreement on the consent of the people on both sides of the border, both of whom voted to remain in the European Union? That consent, therefore, is dependent on an open border, and that open border can be maintained only by our continuing membership of the customs union. Is not that the irresistible logic of the position?

Mr Walker: No, it is not, and the hon. Gentleman’s former party leader has pointed out that the customs union is not the determinant of addressing the border. We are very clear in our commitments, both to the Good Friday agreement and to there being no hard border on the island of Ireland, and we are also very clear in our commitment to the principle of consent, to which he referred. That principle of consent must be respected by both sides in this negotiation.

Mr Speaker: I call Mrs Moon.

Mrs Madeleine Moon (Bridgend) (Lab): I am fine, thank you.

Mr Speaker: Remarkable self-denying ordinance on which I congratulate the hon. Lady, but we may hear from her at a later point in our proceedings.

Topical Questions

T1. [905132] Karin Smyth (Bristol South) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Exiting the European Union (Mr David Davis): Since the last departmental questions, the Government have been making progress towards our aim of securing a deep and special partnership with the European Union. Our aims and objectives for this agreement our clear: respecting the referendum and the need to keep control of our borders, money and laws; ensuring that our relationship endures and does not need to be constantly revisited; protecting jobs and security; demonstrating our values and the kind of country that we want to be; and strengthening the union of nations and the people who make up the United Kingdom.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): We continue to work closely with Ministers and officials from all Departments, including DEFRA, to further our preparations for our exit from and new partnership with the EU. The Secretary of State continues to have regular conversations with his Cabinet colleagues on all aspects of exiting the EU, including agriculture. All Ministers are clear that leaving the EU means leaving the common agricultural policy and making our own decisions for our own farmers’ benefit, for the first time in around half a century.

Tom Pursglove: I am grateful to the Minister for that answer. I regularly meet farmers in Corby and east Northamptonshire who are excited about the opportunities ahead to redefine and reshape our agricultural policy. Can the Minister confirm that they will be directly involved in that process?

Mr Baker: Yes, I can. If we are to redesign our country’s agricultural policy, it is of course right that we seek input from our farmers. Our consultation paper, which can be found on the Government’s website, seeks views on plans for a more dynamic and self-reliant agriculture industry, as we continue to compete on the world stage, supplying products of the highest standards to the domestic market and increasing exports. I strongly encourage not only farmers but everyone who cares about the food that we eat to contribute before the consultation closes next Tuesday.

Nic Dakin (Scunthorpe) (Lab): The food and farming industry is already facing challenges in recruiting the skills and labour needed to keep that sector going. What will the Government do to ensure that those skills are there and that the labour force is there through and beyond Brexit?

Mr Baker: We are taking back control of our borders, but we should always welcome people who come here to contribute to our economy. We have asked the independent Migration Advisory Committee to look carefully at how we can reach this goal. Its report is due in September and it would be wrong to pre-empt it.

Nick Smith (Blaenau Gwent) (Lab): When will we see a seasonal agricultural workers scheme for UK farmers to ensure that our crops do not rot in the ground?

Mr Baker: At the moment, farmers have access to the European Union, as we continue to compete on the world stage, supplying products of the highest standards to the domestic market and increasing exports. I strongly encourage not only farmers but everyone who cares about the food that we eat to contribute before the consultation closes next Tuesday.

Internal UK Trade

13. Emma Little Pengelly (Belfast South) (DUP): What steps his Department is taking during negotiations on the UK leaving the EU to maintain the integrity of the UK.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): In December, the joint report of the UK and the EU reached a balanced set of commitments that reiterate both our commitment to avoiding a hard border and our clear position on preserving the constitutional and economic integrity of the United Kingdom. Internal trade between
Karin Smyth: The joint report in December talked about a mapping exercise with regard to cross-border co-operation. I asked the Prime Minister, and I have written to him, to understand what this mapping exercise demonstrated. I have had a letter this week from Minister Baker telling me that I cannot have the list of those 140 areas in the mapping exercise. Mr Speaker, what do I, as a Member of this Parliament, have to do to understand what those 140 areas are? I could go to the EU, I could go to the Irish Government, and I could perhaps even stand on the border and conduct my own survey. It is absolutely unacceptable for me as a Member of Parliament to receive this letter.

Mr Davis: The hon. Lady should have kept up with some of the events that have been happening over the past week or two. The Chairman of the Brexit Committee wrote to me and asked—and indeed asked me again when I appeared in front of the Committee—whether the Committee could have that list and the support for it. We have said, yes, as soon as it is complete, as soon as we have cleared the release of it with the European Union—which has, by the way, turned down freedom of information requests on the subject. That list will be available as soon as it is complete.

T3. [905134] Peter Aldous (Waveney) (Con): As this country will be an independent coastal state managing and controlling access to our own waters with effect from 1 January 2021, is the Minister able to provide an assurance that such access for EU fishing vessels will not be part of the Brexit negotiations?

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): My hon. Friend will have heard my earlier answer. We are clear that future negotiations over trade must be separate from negotiations over access to waters. There would be no precedent to link the two, and we will continue to take this position in our negotiations on the economic partnership with the EU. The joint statement from the SFF and NFFO that was mentioned earlier made the normal position clear—that total allowable catches, quota shares and access arrangements should ordinarily be agreed through annual bilateral agreements.

Keir Starmer (Holborn and St Pancras) (Lab): When I was reading the Sunday newspapers over the weekend, I was not entirely sure that we would see the Secretary of State in his place today. This morning he says that his resignation is not imminent—I am not sure what message he is sending to his colleagues—but can I assume that his presence signals that he thinks that he won the argument with the Prime Minister yesterday and that a customs partnership with the EU has now been taken off the table?

Mr David Davis: My first advice to the right hon. and learned Gentleman is not to believe everything he reads in the papers—even about himself, let alone about me. Secondly, I made it clear earlier that the Government are spending some time, rightly, on ensuring that we get absolutely the best outcome that will preserve the United Kingdom without creating internal borders, and that will deliver the best outcome in retaining the trade that we have with the European Union and opening up opportunities with the rest of the world. That is why we are taking time to get this right.

Keir Starmer: Let me take that discussion to Northern Ireland. In December the Prime Minister made a solemn promise that there would be no hard border in Northern Ireland. That was spelled out as no infrastructure, no checks and no controls, and I know that the Secretary of State and his team take that seriously. If, on serious and sober analysis, the only conclusion is that delivering on that solemn promise requires the UK to be in a customs union with the EU, does the Secretary of State agree that that would therefore be the only position for any responsible Government to take?

Mr Davis: The Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), gave Labour Members some guidance on that earlier when he cited their former leader, who has taken a lot of interest in this issue, bearing in mind that he oversaw the last part of the peace process and takes it very seriously. In March this year, he said of the customs union:

“the truth is that doesn’t really resolve your problems. By the way, it doesn’t really resolve your problems in Northern Ireland, either.”

David Trimble, who was made Nobel laureate for his part in the peace process, also said that in pretty stark terms.

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): As we design our independent trade policy, we have the chance to explore many options all around the world. Asia-Pacific is a region of great economic importance for the UK, and the Department for International Trade is closely following the progress of the comprehensive and progressive Trans-Pacific partnership.

T2. [905133] Nick Smith (Blaenau Gwent) (Lab): The United Kingdom will have no role in approving new drugs through the European Medicines Agency during the transition period. Will the Minister confirm that that will have no impact on regulatory standards or patients’ access to vital medicines?

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): I do not agree with the hon. Gentleman’s first statement. We have negotiated to ensure that we will be able to continue to work with agencies including the EMA during the implementation period. The EU has included specific language about being able to call on UK expertise, so we intend to continue co-ordination. As the Prime Minister has also set out, we are seeking, as part of our future partnership, a strong relationship with the EMA beyond our exit from the EU.

Mr John Whittingdale (Maldon) (Con): Will my right hon. Friend confirm that when the so-called WAIB—withdrawal agreement and implementation Bill—becomes law, we will be committing ourselves to a financial settlement that will be binding in international law?
Does he therefore agree that we should seek to obtain as much detail as possible in the political declaration while we still have that leverage?

**Mr David Davis:** Of course, what will be binding in international law is what is written into the withdrawal agreement, and I would therefore expect Parliament to have views on what conditions should be in it.

T4. [905135] **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): As we have heard, 60 Tory MPs have delivered an ultimatum to the Prime Minister threatening to bring down the Government—although I do not think the Government need any assistance in that regard at the moment—if they continue to seek a customs partnership with the EU countries. When did the Secretary of State first become aware of that document?

**Mr Robin Walker:** I am not aware of the document to which the hon. Gentleman refers.

Mr **Peter Bone** (Wellingborough) (Con): I wonder whether the Secretary of State has ever reflected on the fact that if David Cameron had kept his promise of staying in office, implementing the views of the British people and triggering article 50 immediately after the referendum, we would nearly be coming out of the EU now, and I would probably be arranging having a statue of David Cameron in my constituency. Does the Secretary of State get the feeling that the public are fed up with how long this process is taking and wish we could just get on with it a bit quicker?

**Mr David Davis:** I have been asked today to give careers advice to myself and now to past Prime Ministers, from which I will demur. Had we triggered article 50 immediately after the referendum, we would have had to absorb 40 years of European Union law into British law almost in a geological nanosecond—a very, very short time. It would not have been easy to do. Although my hon. Friend is right about the departure date, it could just get on with it a bit quicker?

T5. [905136] **Emma Little Pengelly** (Belfast South) (DUP): Currently, less than 1% of our non-EU exports and imports are manually checked. That means that over 99% are processed with technological and electronic solutions. Does the Secretary of State agree that this is the way forward post Brexit, despite the cynicism of some, including about the Irish border?

**Mr Robin Walker:** The hon. Lady makes a very important point. It is important that we continue to look at all the investment in technology that we can make to ensure that our trade with the wider world is as frictionless as possible, and we need to look at these solutions with regard to the deal between the UK and the EU as well.

**Sir Desmond Swayne** (New Forest West) (Con): The amendments passed in the other place on Monday night were those of a wrecking Chamber and not a revising Chamber, were they not?

**Mr David Davis:** No; the House of Lords is a revising Chamber and it does a very important job that I have, in my past, depended on from time to time. I agree, however, that some of the proposals—for example, to put timetables into the negotiating arrangements, at which point control is taken away from the Government—would be a gift to the negotiators on the other side.

T6. [905137] **Joanna Cherry** (Edinburgh South West) (SNP): The 3 million is an organisation representing EU nationals living in the UK. Last month it submitted 128 questions to the Home Office concerning the UK Government’s proposals for settled status. I realise that things are pretty chaotic at the Home Office at the moment, but what discussions has the Minister’s Department had about responding to the very real concerns of the 3 million EU nationals living in the United Kingdom?

**Suella Braverman:** The hon. and learned Lady raises an important point. There has been extensive consultation, dialogue and discussion between Ministers at the Department for Exiting the EU and diaspora groups. I met members of the Romanian diaspora at the Romanian embassy, and the Under-Secretary, my hon. Friend the Member for Worcester (Mr Walker), has recently met members of the French diaspora. We have this engagement, and it is important. People can rest assured that the position of EU citizens will be safeguarded through the legislation due to come through Parliament in the autumn.

**Jeremy Lefroy** (Stafford) (Con): I declare an interest as a trustee of the Liverpool School of Tropical Medicine. Post-doctoral research fellows are a vital part of this country’s research base, and they come from all over the world, including from the EU. What discussions are my right hon. and hon. Friends having with the Home Office to ensure that our future immigration policy is based not on salaries—post-docs often receive pretty miserly salaries compared with their qualifications—but on the skills that we really need in this country?

**Mr Robin Walker:** I regularly attend the higher education and science working group chaired by my hon. Friend the Member for Universities, Science, Research and Innovation, where we discuss these issues, and we have been feeding into the work being done by the Migration Advisory Committee and the Home Office on that front. The Prime Minister made it clear that we will want to continue to attract key talent from around the world, and Britain will want to continue to be a scientific superpower in the years to come. It is essential that we get our policies right on this.

**Helen Goodman** (Bishop Auckland) (Lab): The Government’s own analysis shows that if we leave the customs union, unemployment in the north-east will go up to 200,000, so why did the Secretary of State argue against a customs partnership yesterday afternoon and what is he going to say to the 160,000 people who lose their jobs?

**Mr David Davis:** I have two points in response to that. First, the hon. Lady is presuming what my arguments were yesterday at the Cabinet Committee. As far as I am aware, the minutes are not published. Secondly, what she refers to is not Government policy or indeed Government estimates.

**Julian Knight** (Solihull) (Con): Jaguar Land Rover in my constituency employs 9,000 people. Will the Minister assure me that securing the supply chain will be at the centre of our post-Brexit trading relationship with the EU and beyond?
Mr Baker: Of course I can give my hon. Friend that assurance. We are seeking a deep and special partnership with the European Union, including trade that moves with the least possible friction. I look forward to Jaguar Land Rover’s future success.

Mrs Madeleine Moon (Bridgend) (Lab): To follow on from the previous question, the thousands of families in my constituency whose income and prosperity rely on the Ford engine plant are also deeply alarmed about the refusal to remain in the customs union. A large number of parts come in from Europe to create the engines built in Bridgend, which are then exported to Europe. How does the Minister envisage those supply chain needs and Ford’s just-in-time policy being met?

Mr Baker: Both sides have agreed that we wish to have tariff-free access to each other’s markets. The hon. Member for Belfast South (Emma Little Pengelly) referred to the tiny proportion of our imports that need to be physically checked. With a degree of mutual recognition, which has been outlined by the Prime Minister, these things can be delivered through the terms of our future economic partnership, and I am confident that it is in both sides’ interest to ensure that supply chains can continue uninterrupted.

Ruth George (High Peak) (Lab): Businesses in my constituency tell me that they need the preferential trade rates with 88% of countries in the rest of the world that they currently enjoy as part of the EU. How do the Government propose to equal or exceed those preferential rates before our businesses lose contracts to EU competitors?

Suella Braverman: The EU currently has many international agreements with third countries, and it is the policy, agreed in the withdrawal agreement, that we will adopt a continuity approach, so that all those international agreements to which we are party by virtue of our membership of the EU will continue to apply after we leave the EU.

Tom Pursglove (Corby) (Con): In Corby and East Northamptonshire, people voted overwhelmingly to leave and therefore to control our own borders, spend our own money, make our own laws and determine our own trade destiny. At this stage, how would my right hon. Friend judge the negotiations against that scorecard?

Mr David Davis: What my hon. Friend has described is the exact purpose of the negotiations. We are seeking to retain as much as possible of the existing European market, and at the same time open up all the rest of the world. If I may, I will refer back to the question asked earlier about Ford. One of the companies that we visited in North America, on the Canadian border, was Ford, because it is state of the art in dealing with cross-border component traffic to support car manufacturing. It is very good at that, and it will be in Europe too.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Can the Secretary of State explain to the House how the transitional arrangements he has negotiated for our fishing industry will work in relation to the renegotiation of the EU-Norway-Faroes deal on mackerel? Can he tell the House who will lead the negotiations and when that will happen?

Mr Baker: During the implementation period, for the whole of 2019, we will apply the agreement reached at the Fisheries Council in December 2018, where we would be fully involved in that agreement as a former member state. For the 2019 negotiations, which apply to 2020, we have agreed a process of bilateral consultation between the UK and the EU ahead of negotiations with coastal states in the Fisheries Council. From December 2020, we will be negotiating fishing opportunities as an independent coastal state.

Jo Stevens (Cardiff Central) (Lab): In my constituency, there are three universities and tens of thousands of students. We could remain a member of Erasmus+ when we leave the EU. Will the Minister confirm that we will do so?

Mr Robin Walker: The Prime Minister has set out that she believes there are great opportunities to continue to co-operate together on education and culture. We will of course need to look at what the next stage of the Erasmus+ scheme covers, but we see enormous benefits from it for students from the UK, so it is an area in which we are likely to seek further collaboration.

Chris Bryant (Rhondda) (Lab): British Governments have repeatedly, and quite rightly, gone to European Council meetings and come back having persuaded their colleagues in other countries in favour of strong sanctions against Russia and the Putin regime. How will we be able to do that in the future when we are no longer sitting at the table or in the room?

Suella Braverman: As the Prime Minister made clear in her speech in Munich, our commitment to collaboration and partnership with our European partners on security and defence is unwavering. We have made it clear that we want to develop a new framework with the EU that ensures we can continue to work together to combat the common threats that we face. Our position in NATO obviously remains unchanged, and that underpins our worldwide influence in security and defence.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): One of the key players in discussing and settling the EU financial settlement is the European Court of Auditors. As a member state, we have Phil Wynn Owen as our representative, but as it stands, he is set to leave the European Court of Auditors come 29 March 2019. Will the Secretary of State add to his negotiating list the need to make sure we have a full British representative on the European Court of Auditors during the transition period?

Mr David Davis: All of the implementation period issues are currently under discussion. I am not sure, frankly, that we will put the hon. Lady’s proposal at the top of the priority list, but we certainly aim to cover issues such as audit in the joint committee.

Alan Brown (Kilmarnock and Loudoun) (SNP): Can the Secretary of State name one country that has said, “As long as you leave the customs union, we’ll give you a much better free trade agreement than you have or could have had?”
**Mr Davis:** No, it is the other way around: a number of countries have made it very plain that if we are still in the customs union, they will not do a trade deal with us.

**Stephen Timms** (East Ham) (Lab): The European Union set out a very clear negotiating position at the beginning of this exercise. The Government are still being undermined by their inability to make up their mind, and the Secretary of State has told us that it is going to take a bit longer to decide about customs. The whole negotiation is supposed to be concluded by October. How many weeks longer will it be before our Government have a clear position on customs?

**Mr Davis:** The clarity of the position of not being a member of the customs union is absolute, and has been since the beginning, unlike the right hon. Gentleman's party, which has had a number of different positions on this matter. Frankly, it is incredibly important that we get this right—not just for trade, which is massively important, but for the extremely sensitive issue of maintaining the peace process in Northern Ireland—and I do not undertake to put an artificial deadline on something so important.

**Thangam Debbonaire** (Bristol West) (Lab): People from the EU27 working in my constituency and Bristol West constituents living and working in the EU27 tell me that they are worried about their pensions post-Brexit. What are the Government doing to protect my constituents’ pensions?

**Mr Robin Walker:** The citizens’ rights element of the withdrawal agreement that we have reached in its entirety with the EU covers the continuity of pension provisions and the accumulation of contributions between member states. This is an issue on which we have reached agreement, and we look forward to being able to provide full certainty to all those constituents.

**Nic Dakin** (Scunthorpe) (Lab): The threat by the US Administration to impose steel tariffs has been robustly resisted by the EU. How will the UK work with its EU partners in the future to preserve both free and fair trade in steel?

**Mr Baker:** Our future trading relations are subject to negotiation, as the hon. Gentleman knows, but I have no doubt that it is in all our interests to work together on free trade agreements, working against anti-competitive distortions and having a fair trade defence regime. One of the reasons why we need to leave the customs union is of course so that we can have our own trade defence regime, and I feel quite sure we will continue to work with our partners and our neighbours to ensure that we take care of these issues.
Business of the House

10.34 am

Valerie Vaz (Walsall South) (Lab): Would the Leader of the House please give us the forthcoming business?

The Leader of the House of Commons (Andrea Leadsom): The business for the week commencing 7 May will be as follows:

**Monday 7 May**—The House will not be sitting.

**Tuesday 8 May**—Remaining stages of the Secure Tenancies (Victims of Domestic Abuse) Bill [Lords], followed by consideration of Lords amendments to the Nuclear Safeguards Bill, followed by motion relating to a statutory instrument on criminal legal aid.

**Wednesday 9 May**—Remaining stages of the Data Protection Bill [Lords] followed by motion relating to a statutory instrument on education (student support).

**Thursday 10 May**—Debate on a motion on redress for victims of banking misconduct and the FCA, followed by debate on a motion on compensation for victims of Libyan-sponsored IRA terrorism. The subjects for these debates were determined by the Backbench Business Committee.

**Friday 1 May**—Private Members’ Bills.

The provisional business for the week commencing 14 May will include:

**Monday 14 May**—Second Reading of the Haulage Permits and Trailer Registration Bill [Lords].

It does not happen often, but today it appears that there is competition for the highlight of the week that is business questions, and some Members seem to think they should be elsewhere. Voters across England will be casting their votes in council and mayoral elections, and we should celebrate again our vibrant democracy. All of us in this place know how much courage it takes to put oneself forward for election, and I am sure the whole House will want to join me in wishing good luck to all candidates today. I also say a big thank you to all the volunteers who man the phone banks and do the leafleting. They do so much to support free and fair elections in the United Kingdom.

Valerie Vaz: I thank the Leader of the House and associate myself with her comments about all those public servants out there. I am not sure what is happening in Northamptonshire, but I do not think they are having elections. I also thank her for presenting the forthcoming business, but we still get only a week and a day. As I am sure she will agree, it is very beneficial to Members to know what is coming up, because they want to prepare.

I wanted to make a point of order about this, Mr Speaker, but I did not want to misuse the system: many people are upset about what the Leader of the House said last week about the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018. At business questions, she accused the Opposition of being “tardy” in making a request for the debate on the statutory instrument “having prayed against the SI one month after it was laid.”

In reality, however, it was prayed against well within time. She also wrongly claimed that it had been “too late to schedule a debate within the praying period without changing last week’s business”.—[Official Report, 26 April 2018; Vol. 639, c. 1030.]

But she and I both know that we have done that many times, and sometimes I have been monosyllabic in agreeing with the change of business.

At Justice questions last week the Lord Chancellor said that the Government are waiting for information from the Labour party. Will the Leader of the House please correct the record and say that the Opposition had prayed against the regulations, and that there was nothing else that we needed to do? They were prayed against on 22 March, and the praying period ended on 20 April. The Opposition were waiting for action from the Government. She will know that time stops on a statutory instrument when the House is not sitting for more than four days, so perhaps there was some confusion about that. Will the Leader of the House please correct the record and say that that had nothing to do with the Opposition?

My right hon. Friend the Member for Enfield North (Joan Ryan) has prayed against the Immigration (Guidance on Detention of Vulnerable Persons) Regulations 2018, No. 410, and the Detention Centre (Amendment) Rules 2018, No. 411. When will that debate be scheduled? The statutory instruments were laid two days before the Easter recess.

It seems that the Government are playing KerPlunk with our money resolutions, pulling out Bills at will—[Interruption.]

Hon. Members remember it! The Prisons (Interference with Wireless Telegraphy) Bill has got its money resolution, but there is nothing about the Property Boundaries (Resolution of Disputes) Bill, which was ahead of that Bill. When will we have a money resolution on the boundaries Bill?

I thank the Leader of the House for her letter on the statutory instrument tracker. She has made good progress on that, but the Hansard Society got in touch with me and said that it took them about seven years to get a unique statutory instrument tracker. It is very good and people have used it, so I wonder if there could be co-ordination between the two so we can do what you want to do, Mr Speaker, which is to make the House open, accessible and transparent to everyone.

I do not think the Leader mentioned the debate on nurses’ bursaries on Wednesday. I hope that is still on, because it is a vital debate. We are against the abolition of postgraduate nurses’ bursaries, which are so important to upskilling people and dealing with the skills shortage. A debate would be timely, because a Macmillan Cancer Support report published on Monday revealed that hospitals in England have vacancies for more than 400 cancer nursing specialists. Macmillan’s chief of nursing, Dr Karen Roberts, is concerned that cancer nurses are being run ragged and that some patients may not be receiving the specialist care they need. We all know someone who has been through the whole process—I know of two friends—and cancer nursing specialists are absolutely fantastic when people are going through such a difficult time. They need help and support, and we cannot have them doing two or three jobs at the same time. May we have a statement from the Secretary of State for Health on the problems facing the NHS cancer workforce?

The breast cancer screening scandal is taking place on the Health Secretary’s watch, and according to the King’s Fund, there is a £2.5 billion funding gap in social care. There has been no statement on the collapse of Allied Healthcare, which is one of the biggest providers for the elderly and the vulnerable. We need to know
what impact assessment has been made, because the company is currently in a voluntary arrangement that means that it does not have to pay into the pension fund. May we have an urgent statement on that next week?

Last week I raised the article in The House magazine on restoration and renewal, which announced that the shadow sponsor board should have 12 members, with five external members, including the chair, but a majority of parliamentarians representing the main parties of both Houses. External members of the board will be appointed and a former first civil servant commissioner will chair the panel. I would be grateful if the Leader of the House could say when that decision was made and who made it. She will know that the Olympic sponsor body was chaired by the noble Baroness Jowell, so there was always accountability to Parliament. Representatives of all the main parties chair Select Committees and carry out their roles with distinction. A non-parliamentarian chairing the sponsor body is not recommended in the joint report and was not in the motion, so will she please make a statement to update the House on what has actually been agreed on restoration and renewal?

The Leader of the House may have some influence over the members of the Brexit Cabinet Committee, so will she suggest that, instead of just talking in that Committee and positioning themselves as the next Prime Minister, they actually visit the borders in Ireland and Dover? They could practice their power stance—you can’t see it, Mr Speaker, but I am doing it right now and it is quite scary—and we could enjoy our bank holiday. Dover? They could practice their power stance—you can’t see it, Mr Speaker, but I am doing it right now and it is quite scary—and we could enjoy our bank holiday—we wish everyone a very happy and restful weekend.

Andrea Leadsom: The hon. Lady raises a number of issues, and I will try to address each one.

As the hon. Lady will know, it is perfectly normal for the Government to give as much notice as possible of future business while still being able to meet the changing schedule.

I am glad the hon. Lady is pleased that the Government have brought forward time to debate negative statutory instruments that have been prayed against. She asks specifically about the statutory instrument on nursing bursaries. That has been brought forward for discussion next Wednesday. She says that the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 were not too late in being brought forward. I gently remind her that the convention is that where a reasonable request has been made for Government time for a statutory instrument that has been prayed against, the Government will seek to give that time. These are all parliamentary conventions, but she will appreciate that there was not much time and it would have required an emergency change to the business for me to have been able to comply. I hope that that settles that issue.

The hon. Lady asks about money resolutions on private Members’ Bills. I was delighted to bring forward for debate the money resolutions on various private Members’ Bills, and others will be coming forward in due course.

The hon. Lady asks about the statutory instrument tracker. As she acknowledges, I wrote to her telling her about the tracker, which the Parliamentary Digital Service is bringing forward to enable Members to have more information in a more timely fashion about statutory instruments, and I am glad she welcomes it.

The hon. Lady asks about nursing. I am delighted, as I am sure she is, that there are 12,900 more nurses on our wards than there were in 2010 and that the Government have introduced the nursing associate role and the nursing degree apprenticeship, both of which routes mean that people can train and earn as they learn. We have committed to training up to 5,000 nursing associates in 2018 and up to 7,500 in 2019. That is good news for our fantastic NHS and will provide more support for our hard-working nurses, who are under pressure.

The hon. Lady raises the issue of breast screening. She will be aware that my right hon. Friend the Secretary of State for Health came to the House yesterday to make a statement—as soon as he found out what had happened—and has commissioned an independent review of the NHS breast screening programme to look at these and other issues, including processes, IT systems and further changes and improvements that could be made to the system to minimise the risk of this happening again. The review is expected to report in six months, and as she will know, my right hon. Friend has also promised that every woman failed through this error, if registered with a GP, will be contacted by May. It is incredibly important that we put this right.

Finally, the hon. Lady asks about restoration and renewal. A paper on governance went to the House of Commons Commission a couple of months ago. She was at the meeting of the Commission where the papers were circulated, discussed and agreed to. The Commission has, therefore, agreed the governance arrangements.

Sir Nicholas Soames (Mid Sussex) (Con): Will the Leader of the House arrange an urgent debate on the need to take immigration issues out of the Home Office and establish a new Department to deal with them? These issues go back to the hangover from the end of empire and go forward to the development of a robust and effective programme after Brexit that is consistent with an open and confident Britain, and to the introduction of a digital identity platform. Does she agree that this is first-order business and requires serious consideration?

Andrea Leadsom: My right hon. Friend raises the very important issue of the immigration system. He will be aware that the Prime Minister and the previous Home Secretary have apologised unreservedly for the mistakes made in the case of the Windrush generation. It is incredibly important, as was made clear in yesterday’s Opposition day debate, that we improve the systems, and very often changes to Government can actually hold us back. The package of measures to bring greater transparency for Members and constituents includes monthly updates to the Chair of the Home Affairs Committee with the latest position on detention, removals and deportations. There is also the independent external oversight and challenge of a lessons-learned review that is already under way to establish how members of the Windrush generation came to be entangled in measures designed for illegal immigrants, why that was not spotted sooner and whether the right corrective measures are now in place. As he will be aware, the new Home Secretary has asked for a report and will bring it back to the House before the summer recess.
Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the business for next week.

I cannot believe how busy it is around here today—haven’t you all got local elections to attend to? I wish all the candidates in today’s local elections in England all the very best. There is a titanic struggle going on between the party of Brexit and the, um, other party of Brexit. There is another titanic struggle going on this country—around the Cabinet table, between those who are opposed to a customs union and those who are really, really opposed to a customs union. Meanwhile, our heroes in ermine continue to thwart the Government on the repeal Bill. The people’s aristocrats—the people’s donors and cronies—are showing a great example of what taking back control looks like. Will the Leader of the House tell us how much time she is prepared to set aside for Lords amendments? There are now 10 for us to address. Is she prepared at this stage to look at using the Parliament Act if the people’s peers continue to defy the Government?

And well done to the Government—they actually came out to play yesterday in an Opposition day vote. They bravely trooped through the Lobby to stop the Government disclosing details about the Windrush victims. Well done the Conservative party! Are we now going to see a new approach from the Government? Are they now prepared to play a proper democratic role in Parliament and vote on all Opposition debates when Divisions are called? It is called “democracy”, Leader of the House, and it is a vital component and cog in what is called “a Parliament”.

Lastly, we are not what I would call inundated with critical Government business. We are grateful that the Leader of the House will look at some of the money resolutions for private Members’ Bills, but is there not a case for having more time available for some of the private Members’ Bills that we are considering? Some excellent Bills are kicking around, particularly the one presented by my hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil). Let us give them some more time—let us see if we can find a bit more parliamentary time to progress these Bills. It would be a popular move; will the Leader of the House support it?

Andrea Leadsom: It is fantastic to see so many of our Scottish colleagues across the House here today, more than punching above their weight, as they always do. The hon. Gentleman is having his usual dig at the other place, which does not surprise me. Nevertheless, although he will appreciate that I may not agree with them, I certainly uphold its right to improve and scrutinise legislation. Their lordships fulfil a very important role, and of course, we will ensure that there is a good and appropriate amount of time for this House to scrutinise the amendments that they have put forward.

The hon. Gentleman talks about the fact that the Government voted yesterday. I remind all Members, as my right hon. Friend the Home Secretary said, that putting right the very seriousness of unfairness to the Windrush generation must not mean taking resources away from the teams who are working very hard in the Home Office to help those who have been affected. That is why the Opposition’s motion was rejected; it was a deliberate party political attempt to distract the Home Office from putting right what is a great unfairness. We cannot allow ourselves to be distracted from that work.

The hon. Gentleman raises the legislative programme. I can tell him and all hon. Members that so far, we have introduced 27 Bills. In fact, it may even be 28—that number might be one out of date; I need to track down that last introduction. That is a very good number of Bills this far along in a Session. Eleven Bills have already been sent for Royal Assent. We have passed hundreds of statutory instruments in each House and seven draft Bills have been published. In addition, there are six Brexit Bills before Parliament, with others to come, so I simply do not accept that there is any lack in the legislative programme. We look forward to bringing forward further Bills in due course.

On the hon. Gentleman’s point about private Members’ Bills, I point out that there has been some great progress, including last week in the Mental Health Units (Use of Force) Bill from the hon. Member for Croydon North (Mr Reed). The money resolution has been agreed for the Prisons (Interference with Wireless Telegraphy) Bill—another very important Bill—and I congratulate the hon. Member for Rhondda (Chris Bryant), whose Bill completed its House of Commons stages last Friday with Government support. Of course, the Government are delighted with the proposals from the hon. Member for Westminster North (Ms Buck) and my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) on their Bills as they approach Committee stage. There is a lot more to be done, but we are making progress on some very good private Members’ Bills.

Douglas Ross (Moray) (Con): May we have a debate on the Career Ready scheme? That would allow me to highlight the fact that, at the recent UK national awards, not one but two of the winners were from Moray. Jennifer Walker from Milne’s High School won the UK science, technology, engineering and maths award, following an internship with Chivas Brothers, and she is now looking to have a career in the distilling industry. We are also extremely proud in Moray to have the overall UK winner, Kiara Ross, from Elgin High School. She had a troubled early period at school—she was excluded several times—and was about to leave education altogether. Following her involvement with Career Ready, she now has four offers for university and is looking to pursue a career in law. Will my right hon. Friend join me in congratulating Kiara and Jennifer on their outstanding successes and everyone in Moray who is involved in the Career Ready project? We can see that it really does transform lives.

Andrea Leadsom: Those are brilliant achievements by Jennifer and Kiara, and I am delighted to extend my sincere congratulations to them. My hon. Friend often brings the successes of his constituents to this place, and he is an excellent champion for Moray.

Career Ready’s annual awards recognise individuals who demonstrate outstanding commitment to the Career Ready programme, including the programme in Scotland. Having had seven apprentices myself during my seven years in Parliament, I have loved being able to help smart and committed young people to get as much as possible out of their apprenticeships before graduating to an exciting role in life.

Ian Mearns (Gateshead) (Lab): As you will remember, Mr Speaker, last Thursday, a Backbench Business Committee debate had to be withdrawn because of
pressure on time resulting from statements and urgent questions. The debate had been nominated by the Liaison Committee, and I hope that it will be possible to reschedule it as soon as possible. The subject was the use of plastics.

I echo the warm wishes expressed by the Leader of the House for people who are standing in local elections today. Before first coming to the House, I served on Gateshead Council for 27 years, being elected and re-elected on nine occasions, so I know about the stresses that candidates undergo on days such as today. I wish them all the very best, particularly my own party’s candidates in Gateshead.

There has been an application to the Backbench Business Committee for a debate on 14 June, which will be time-sensitive. I will write to the Leader of the House about it, but I hope that it will be possible for her to think ahead so that a debate can be secured on that day.

**Andrea Leadsom:** Let me say first that 27 years on a local council is a fantastic record. Many people in the country have achieved enormous public service, and we salute them all.

The hon. Gentleman asks about the rescheduling of debates. Last week, he asked me if we could secure time for the “third time lucky” debate on the treatment of small businesses. I am delighted to see that the Backbench Business Committee has now rescheduled that debate. I look forward to receiving the hon. Gentleman’s letter about the sensitive nature of 14 June.

**Mr Peter Bone** (Wellingborough) (Con): May I also wish candidates luck today? Most of them will lose. The first time I stood for Parliament, I lost by a mere 36,000 votes to Mr Neil Kinnock, so my message to them is “Keep trying”.

Money resolutions should follow Second Readings as night follows day. A sitting of the Public Bill Committee considering the Parliamentary Constituencies (Amendment) Bill is scheduled for next week, but it will go nowhere, because we have no money resolution. The Leader of the House said that we would have money resolutions “shortly”. To ensure that Parliament is transparent, may we have some clarification of these terms? Does “shortly” mean within the next six months; does “soon” mean within the next 12 months; and does “the autumn” mean some period before 31 July?

**Andrea Leadsom:** As my hon. Friend is aware, the House has approved 13 sitting Fridays for private Members’ Bills in the current Session, in line with Standing Orders. During a debate on 17 July 2017, I said:

“Given that we have...announced that this will be an extended Session, we will... expect to provide additional days”...—[Official Report, 17 July 2017; Vol. 627, c. 636.]

I pointed out that in the extended parliamentary Session of 2010-12, the House had agreed to four extra days for private Members’ Bills, which were approved “at a later date”, during 2011. In line with Standing Orders, remaining stages of Bills will be given priority over Second Reading debates on any additional days provided for private Members’ Bills. I am already discussing with business managers when those proposals can be presented, and will let the House know in due course.

**Danielle Rowley** (Midlothian) (Lab): Yesterday, I met the Minister for Employment and asked him whether the Department for Work and Pensions had any plans to consider automatic split payments of universal credit. I did not receive a positive response, but this is a serious issue for my constituents and for many charities that work with the victims of domestic abuse. I am sure that the Department would benefit from hearing voices on both sides of the House. May we have a debate on the issue, in Government time?

**Andrea Leadsom:** I am sympathetic to what the hon. Lady says, and many Members have raised issues and concerns about UC. I encourage her to raise the specific point about split payments at the next opportunity at Department for Work and Pensions questions, or indeed to seek an Adjournment debate as it is a specific proposal for improving fairness, particularly to women suffering domestic violence.

**John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): I was lucky enough to attend the NHS Borders Celebrating Excellence awards in Kelso on Saturday evening; it was a wonderful event, paying tribute to the dedicated hard-working NHS staff across the Scottish borders. Will the Leader of the House allow a debate to pay tribute not only to those who were nominated and won awards at that event, but to the NHS staff across Scotland and the United Kingdom who work so hard to keep us fit and healthy?

**Andrea Leadsom:** My hon. Friend is absolutely right, and I congratulate all the winners and nominees of the Celebrating Excellence awards in Kelso. He mentions the debt of gratitude we owe to all NHS workers, and I am sure that all of us in the House would agree that our doctors, nurses and carers do so much for us and we must always be grateful to them. We are pleased that the latest NHS staff survey shows that more staff would recommend the care their organisation provides to their own family and friends than ever before, which is good news for morale within our NHS.

**Jessica Morden** (Newport East) (Lab): My constituent Malcom Richards was the victim of a financial scam advertised on the internet, losing £39,000 in a bitcoin scam that purported to be backed by members of “Dragons’ Den”. This is a similar issue to that raised by Martin Lewis in his challenge to Facebook. May we have a debate in this House to highlight such cases and make sure that internet-based companies that take paid advertising know that they have to take their responsibility for protecting the public seriously?

**Andrea Leadsom:** The hon. Lady raises a very important issue. The problem of financial scams is persistent, and it seems that the scammers constantly find new ways to attack people. I encourage the hon. Lady to write to the Financial Conduct Authority on this point and to raise it at Department for Digital, Culture, Media and Sport questions on 10 May to find out what more can be done to ensure that these companies play their part in not allowing these scams to be put on to their platforms.

**Tom Pursglove** (Corby) (Con): The new Secretary of State for Housing, Communities and Local Government clearly has some quite big decisions to make in respect of Northamptonshire County Council and particularly
the way forward in restructuring local government, which to my mind needs to be led by the existing local authorities engaging thoroughly with the communities they represent. Has the Leader of the House had any indication that there will be a statement next week?

**Andrea Leadsom:** My hon. Friend will appreciate that the new Secretary of State has had quite a significant task in getting his feet under the table, but I know he is determined to come forward with a new proposal, and he will be doing so in due course, as soon as he can once he has been able to consider the options.

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): May we have a debate on Finn's law, which would protect service animals harmed in the line of duty? Finn was a police dog who sustained multiple stab wounds from an assailant and saved his owner's life in the line of duty. However, little can be done currently under the law as dogs are seen as property. So may we have this urgent debate to change the law and protect the service animals that serve us so well?

**Andrea Leadsom:** The hon. Lady is right to raise this issue, and I know that all Members will be very sympathetic to the subject she raises. We are a nation of animal lovers, and do so much in their duty to help and support us. I encourage the hon. Lady to seek an Adjournment debate so that she can raise this issue directly with Ministers, to see what more can be done to protect service animals.

**Julian Knight** (Solihull) (Con): May we have a debate on the urgent need for new clean diesel cars to play a full part in the medium term in this nation's transport needs, especially in the light of the recent 1,000 contract worker job losses at Jaguar Land Rover in my constituency?

**Andrea Leadsom:** My hon. Friend raises an important issue. We need to protect the quality of our air in the United Kingdom, and he will be aware that the Treasury has brought forward proposals to promote cleaner fuels as well as to eradicate the use of fossil fuels in transport altogether. Nevertheless, he is right to point out—as he often does—the need to support those who did the right thing, as they were encouraged to do by the last Labour Government, in turning to diesel. Of course we are now dealing with the consequences and the impact on air quality in this country.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): I want to thank you, Mr Speaker, for the kind words that you, the Leader of the House and the shadow Leader of the House have said about our predecessor, Michael Martin, this week. I know that those words have meant a lot to his family at this difficult time. In the best tradition of my predecessor, I want to raise a constituency issue. I should like to congratulate City Building, based in the heart of my constituency, which is now one of Scotland’s largest construction companies and operates the largest apprenticeship programme in Scotland. I congratulate the company on achieving the Queen’s award for enterprise in the sustainable development category. It is the only company in Scotland to achieve that award this year. Will the Leader of the House arrange a debate in Government time to celebrate and debate the great companies that have won the Queen’s award for industry, to help to promote those companies internationally?

**Andrea Leadsom:** I congratulate the hon. Gentleman on again paying tribute to his constituency predecessor, who served the House very well over a long period. I am also delighted to join him in congratulating the firm in his constituency on its award and all those companies that achieve the Queen’s award for industry and contribute so much to the strength of our economy. Finally, I would like to mention this Government's target of 3 million apprentices during this Parliament. We already have 1.2 million new apprentices, which is giving many more young people the chance to have a decent career.

**Jeremy Lefroy** (Stafford) (Con): May we have a debate on flexibility in our mental health services? The Government are rightly committed to increasing resources in those services, but that needs to happen alongside flexibility. A constituent of mine finds it incredibly difficult to get appointments at the time of day that is suitable for her condition, which tends to mean in the afternoon. She is almost always offered appointments in the morning. May we have a debate on this, because it is vital that we not only commit more resources to mental health services but ensure that those resources are sufficiently flexible for the needs of patients?

**Andrea Leadsom:** My hon. Friend raises an incredibly important point, and I am sure he will welcome the fact that this Government are committed to parity of esteem between mental and physical health. Spending on mental health has increased to a record £11.86 billion, with a further £1 billion on top of that by 2021. Nevertheless, he is right to say that we need to look at flexibility and access, and I can tell him that, by 2020, every patient arriving at A&E experiencing a mental health crisis will have access to psychiatric liaison, so that they can get to the right treatment as quickly as possible, which of course includes flexibility in timetabling.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): We had an excellent debate in Westminster Hall yesterday on the subject of plastics in our oceans. The one point on which there was unanimous agreement among the 17 Members who took part was that it was ridiculous for us to be debating the reduction of plastic waste when we ourselves were surrounded by the little plastic cups that we use in Westminster Hall and in Committee rooms. Surely, it must be possible for Members in Westminster Hall and on the Committee corridor to be given proper glasses. That would make us feel as though we were just as good as the Leader of the House and the shadow Leader of the House.

**Andrea Leadsom:** The right hon. Gentleman is exactly right to raise this issue. I can tell him that a number of Members decided to give up plastic for Lent, which was quite a challenge in this place, as he rightly suggests. Before Lent, they wrote to the Administration Committee asking it to look into eliminating single-use plastics, and it has committed to doing that. As I understand it, we are now using up existing supplies before moving to new arrangements, so I think progress is being made. I should also like to take this opportunity to point out that, later this year, we will publish a new resources and waste strategy setting out how we will work towards eliminating all avoidable plastic waste by 2050.
Jo Stevens (Cardiff Central) (Lab): Last week, the Public Accounts Committee described the Government’s management of the rail franchises as a “multi-faceted shambles causing untold misery for passengers.” May we have a debate in Government time about ending passenger misery on Europe’s most expensive railways and bringing them back into public ownership?

Andrea Leadsom: Franchising has seen £6 billion of private investment put into our railways, but rail passenger numbers have doubled since 1997-98. The Government are committed to investing nearly £48 billion on maintenance, modernisation and renewal to deliver better journeys and fewer disruptions. The railways have never been so popular, and the Government are doing everything we can to improve the system. The hon. Lady’s solution of taking over the railways is no solution whatsoever. She might not, but I can certainly remember the days of enormous delays and appalling service. Her solution does not propose how services would be paid for or improved or how to deal with the demands of modern passengers, but the Government’s proposals do.

Chris Stephens (Glasgow South West) (SNP): May we have a statement from the Government on the current Driver and Vehicle Standards Agency dispute regarding changes to the driving test and the appropriate risk assessments? Does the Leader of the House believe that it is acceptable for the DVSA to reject Department for Transport advice and refuse ACAS talks to resolve the dispute?

Andrea Leadsom: The hon. Gentleman raises an important point. If I remember rightly, there is a big employment issue in his constituency with DVLA staff. [Interruption.] Perhaps that is not correct. Well, I encourage the hon. Gentleman to take up the issue, perhaps in an Adjournment debate, but I have every sympathy for what he says.

Chris Bryant (Rhondda) (Lab): I am so chuffed that the Government are now adopting all my legislative proposals that I have another one. We should have an acquired brain injury Bill to guarantee that anybody who has a traumatic brain injury and receives hospital treatment then gets a rehabilitation prescription, so that they can be brought back to as full a life as possible. I know that the Leader of the House is sympathetic, but if she is not quite convinced of my Bill, perhaps she could come to the meeting on concussion in sport on Tuesday morning that has been organised by the all-party parliamentary group on acquired brain injury or to the lobby meeting that we are organising on Wednesday afternoon in Committee Room 17 after Prime Minister’s questions—I know she is free—to push for this change.

Andrea Leadsom: I am delighted that the hon. Gentleman is delighted with the progress of his private Member’s Bill. He has raised the important issue of acquired brain injuries before, and ABI can be devastating not only for the victim but for their family and friends. He is right to keeping pressing for a change, and I am very sympathetic. If he wants to bring forward specific proposals, I am sure that Ministers would be keen to hear them.

Nic Dakin (Scunthorpe) (Lab): North Lincolnshire Council is removing its core funding grant for Citizens Advice North Lincolnshire at short notice, thus jeopardising the excellent work that it does locally. May we have a debate on the value of Citizens Advice and the importance of local councils supporting their citizens advice bureaux?

Andrea Leadsom: I join the hon. Gentleman in congratulating citizens advice bureaux on their amazing work. In my constituency, they provide advice on how to switch energy supplier or how to claim to benefits. They really do go above and beyond, and I know that many people heavily rely on them. As it is a specific constituency issue, I encourage the hon. Gentleman to raise the matter at departmental questions or to seek an Adjournment debate.

David Hanson (Delyn) (Lab): Mr Speaker, you may have noticed that Liverpool made the champions league final last night and, indeed, Arsenal may make another European final tonight. However, because both those European events are not listed, nobody will be able to view them on free-to-air television. Only those with BT Sport or, as in my case, those who are travelling to Kiev on 26 May will be able to watch. In congratulating Liverpool and, hopefully, Arsenal, will the Leader of the House arrange an early debate to ensure that we can widen the listing for such events?

Andrea Leadsom: The right hon. Gentleman points out that some major sporting events are on free-to-air television, but the champions league is not one of them. I certainly encourage him to seek ways to raise and promote the idea that such things should be included on free-to-view TV. Having stood for election in Knowsley South in 2005 and having had the great pleasure of meeting the great Stevie G, who is sadly no longer in the team, Liverpool has been my football team, but I must yet again point out to you, Mr Speaker, that rugby is the best game as far as the Leadsom household is concerned.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I raised this in my maiden speech, and the issue remains the same today. Far too many of my constituents are having enormous problems accessing adequate broadband connectivity. A group of constituents living near the Queen Mother’s old holiday home, the castle of Mey, came to see me last weekend about this very problem.

It would be churlish of me to point the finger at the Scottish Government, and of course I will not do so today, but let me put it this way: somewhere in the interface between the Scottish Government and the UK Government things are not right, and far too many of my constituents are losing out. Does the Leader of the House agree that broadband is for all the UK, regardless of which part of the UK we live in, and borders are completely pointless? Does she agree we should have a debate on this important issue?

Andrea Leadsom: I agree with the hon. Gentleman that the delivery of broadband is key to modern infrastructure. He will be aware that, only recently, there has been a debate on the roll-out in Scotland. The Department for Digital, Culture, Media and Sport originally provided funding through the Scottish Government for the roll-out in Scotland, but it has decided to go via local councils in the next wave of funding to try to improve and speed up the roll-out of broadband. I completely agree that the delivery of broadband is essential, and I encourage the hon. Gentleman to seek the co-operation and urgent attention of the Scottish Government.
**Helen Goodman** (Bishop Auckland) (Lab): Last Saturday, I met a group of constituents who have bought homes on a new estate. They are now being charged huge and spiralling maintenance fees by a firm called Gateway, which was founded by the developer Persimmon. I understand this is happening on thousands of new estates across the country, so may we have a debate in Government time on what we can do about it?

**Andrea Leadsom:** The hon. Lady raises an issue that affects many, and I am also aware of the problem of these fees being charged completely unfairly. The Government are looking closely at this, but she might wish to seek an Adjournment debate to ensure the matter has the urgent focus it deserves.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): My constituent Yvonne Sommerville is a special operations paramedic and an RAF reservist. Because of a medical condition, which does not affect her vision, the Driver and Vehicle Licensing Agency has refused to renew her public service vehicle licence, taking away her right to drive ambulances. Despite that, her employer—the Scottish NHS—and specialist consultants say she is fit to drive. This is putting a personal strain on her and is having an impact on the NHS, although she is still allowed to drive paramedic vehicles. Of course, she is now not allowed to drive buses for the RAF. May we have a Government statement on how we can tackle and challenge such DVLA decisions and standards?

**Andrea Leadsom:** The hon. Gentleman raises a very concerning constituency issue, and I am sure he will appreciate that safety, and therefore taking a cautious approach, is vital in all these matters. We have Health and Social Care questions on 8 May, where he might want to raise the difference of opinion between the organisation offering the licence and the organisation requiring the services of his constituent. I entirely sympathise that this is a difficult issue for his constituent.

**Mrs Madeleine Moon** (Bridgend) (Lab): Mr Speaker, I am sure you will share my horror that this year’s Kidney Cancer UK patient survey found that over 51% of kidney cancers are diagnosed as a result of an unrelated scan. There is a huge problem with GPs not identifying and finding early treatment for kidney cancers, some of the photographs of which are pretty horrific. May we have a statement about what the Government are doing to raise awareness of kidney cancer and to develop a simple, cheap and effective test that will give early diagnoses and allow treatment to take place?

**Andrea Leadsom:** This is, of course, an incredibly important health issue. The hon. Lady will be aware of the enormous advances in cancer care, both from a medical point of view, and with the Government’s commitment to the cancer drugs fund and to improving the speed of diagnosis and treatment of different cancers. She is highlighting a specific cancer, a subject that would lend itself very much to an Adjournment debate or a Westminster Hall debate, so that hon. Members who have similar constituency concerns can raise them.

**David Linden** (Glasgow East) (SNP): May we have a debate in Government time about how the Department for Work and Pensions treats people? My Shettleston constituent Ciara Steel was diagnosed with Asperger’s at 15 and a half, but now that she is over 16 she has been called back again for an assessment to check that she still has it. May we have a debate about this very serious issue?

**Andrea Leadsom:** I am very sympathetic to the issue the hon. Gentleman raises. Of course, we look carefully at ensuring that checks on people who have ongoing conditions are not unnecessarily burdensome, but he raises an important specific point, which he might want to raise at Health questions.

**Thangam Debbonaire** (Bristol West) (Lab): My constituents are very concerned about matters relating to immigration: they are concerned about what will happen to EU27 citizens post-Brexit and to UK citizens working in the EU post-Brexit; they are concerned about immigration law relating to those who have arrived from the Commonwealth between 1948 and 1973; and they are concerned about refugee rights. Will the Leader of the House have a word with her newly appointed Home Secretary colleague to ask him whether he will bring forward the White Paper on the immigration Bill sooner rather than later? Will there be proper time for debate on the immigration Bill, so that we can debate these issues properly in this place?

**Andrea Leadsom:** I am sure all hon. Members will be pleased to see that the new Home Secretary is the son of immigrants to this country and has made clear his personal commitment, based on his own experiences, to ensuring fair and sympathetic immigration procedures.

On the hon. Lady’s specific question, we are considering a range of options for the future immigration system, and based on evidence we will set out initial plans and publish a White Paper in the coming months, with a Bill to follow. That new system will be based on evidence, including from the Migration Advisory Committee, and on engagement with a range of stakeholders, including businesses, universities, the devolved Administrations and NHS leaders. It is clear that people in the UK want this Westminster Government to be in charge of our borders, but to have a sympathetic and fair-to-all immigration system, and that is what we intend to have.

**Peter Grant** (Glenrothes) (SNP): This afternoon’s Order Paper shows a Westminster Hall Back-Bench debate on the impact of social care on NHS provision. Members got barely 24 hours’ notice that this debate was going to be held, which obviously made it difficult for the Whips Offices to arrange speakers—yes, I was one of those who succumbed to the charms of those in the Whips Office and agreed to speak. Ironically, given that it looks as though the main Chamber business will finish well ahead of schedule, had that debate been scheduled in here it could have started as soon as the rest of the business had finished. As things stand, there is a good chance that everything else will have finished and that debate will then be carried on in a complete vacuum, giving very little prominence to an important subject. First, will the Leader of the House explain why Members received so little notice that that important debate was taking place? Secondly, will she look at the procedures of the House to see whether there is a way in which Westminster Hall business can be brought forward, as can business of the Chamber, if time and circumstances should permit?
Andrea Leadsom: Today, as I mentioned, some Members have unfortunately not been able to accept the offer of a debate, so there is a particular reason why today short notice was given—scheduling business has been rather last minute. In response to the hon. Gentleman’s more general point about whether business can be brought forward in this Chamber when business stops early, I can say that that would be a dangerous precedent, on the grounds that it would presume, in effect, that time for debate on certain topics in this place would be shortened. That is why the Government and the business managers always seek to ensure that adequate time is given for debate, and that we do not try to second-guess how many Members will want to speak and for how long.

Nick Smith (Blaenau Gwent) (Lab): The national health service throughout the UK sends a wide range of reminders to patients for procedures such as inoculations for children and screening for cervical and, of course, breast cancer. It is crucial public health work. May we have a statement to provide reassurance to people throughout the UK that all the systems for contacting patients are working effectively?

Andrea Leadsom: The hon. Gentleman is right that there is a wide range of screening activities in the NHS, and that notices and reminders are sent out frequently for all sorts of different screening programmes. As my right hon. Friend the Secretary of State for Health and Social Care set out yesterday, there will be a review of the lessons learned, which could of course be applied to forms of screening other than the failed breast cancer screening programme that we need to take urgent steps to rectify.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I have a constituent with dual UK and Venezuelan citizenship who has been unable to acquire a UK passport because of the UK Government’s one-name policy. She has tried to change the name on her Venezuelan passport to her married name, but because of insurmountable problems, including corruption and complete estrangement from her ex-husband, she has been unable to do so. May we have a debate on the UK Government’s rules on the issuing of passports, which are preventing my constituent from receiving the passport that is rightfully hers?

Andrea Leadsom: The hon. Gentleman raises a serious constituency issue. I encourage him to raise it directly with Home Office Ministers.

Stephen Gethins (North East Fife) (SNP): May we have a debate on the future of the defence estate in Scotland, particularly in respect of the investment that has been promised at Leuchars in my constituency? We need to ensure not only that that is a long-term investment but that any investment is family friendly, so that service personnel who travel with family members have the right resources to be able to settle in.

Andrea Leadsom: We all pay tribute to the excellent work of all our armed forces, wherever they are based throughout the United Kingdom. My right hon. Friend the Secretary of State for Defence is committed to ensuring the wellbeing of our armed forces, wherever they are posted. The hon. Gentleman raises an important point about the longevity of the new arrangements in his constituency; I encourage him to seek a Westminster Hall or Adjournment debate so that he can raise those issues directly with Ministers.
Point of Order

11.27 am

Nick Smith (Blaenau Gwent) (Lab): On a point of order, Mr Speaker. Will you advise us on the best way to introduce money resolutions, so that the Parliamentary Constituencies (Amendment) Bill, which is in the legislative pipeline, can be brought forward as soon as possible?

Mr Speaker: The answer to the hon. Gentleman is that money resolutions are brought forward only on the say-so of Ministers. That is the way the system works. I am conscious of some unease on this matter—an unease that should have been heard, and must be heard, on the Treasury Bench. People are awaiting such resolutions, and it would be appreciated if colleagues felt confident that there was a logic and reasonableness to the decision-making process. Nevertheless, I must say to the hon. Gentleman that it is not a decision-making process in which I am involved. The Leader of the House is seated on the Treasury Bench and will have heard what the hon. Gentleman had to say.

Backbench Business

May Adjournment

11.28 am

Ian Mearns (Gateshead) (Lab): I beg to move, That this House has considered matters to be raised before the May adjournment.

Earlier, I listened to Ministers saying that EU citizens’ rights would be defended robustly after Brexit, but I have also heard this week from Members of the European Parliament representing the north-east of England that EU negotiators are sceptical about such assertions because of what has happened with the Windrush situation.

I am currently dealing with a case of an EU citizen who is being denied benefits, despite the fact that she has been resident in Gateshead for 27 years. Kim Voogel came to the United Kingdom from the Netherlands in 1991. She has never been back to the Netherlands since then, and the Dutch Government have confirmed that they have no record of her ever going back to the Netherlands over the entirety of that period. She has worked on and off over that time, because her ex-husband was the main breadwinner in the family, and she has given birth to and raised three children, all of whom are still resident in Gateshead. Following a head injury after falling from a ladder, which has given her some mild brain damage, she had to reapply for universal credit, having transferred from employment and support allowance. In the transition between benefits, she has been refused universal credit because the Department for Work and Pensions said that she could not prove that she had been resident continuously in the United Kingdom for 27 years.

Mark Tami (Alyn and Deeside) (Lab): My hon. Friend is making a very powerful case. Does he agree that these sorts of cases affect not only the individual involved, but the whole family, particularly the children?

Ian Mearns: I could not agree more with my hon. Friend.

Despite the fact that this lady has three children, only one of whom is now in his 20s; despite the fact that she has been receiving child benefit for those children throughout the entire period; and despite the fact that she also has a work record, having worked in between having her children, she has been refused universal credit. Part of the reason for the refusal is that the online application form asked when her children came to the United Kingdom with her. Of course, they did not come to the United Kingdom; they were born here. Therefore, she has failed the permanent residency test and been refused universal credit, despite living here for 27 years.

With such cases occurring now, the assurances that have been given by Ministers about the rights of EU citizens following Brexit sound really quite hollow. There is a big job of work to be done. It is not just the Home Office that needs to recognise the rights of EU citizens; other Government Departments, such as the Department for Work and Pensions must do so too. This lady’s case needs to be resolved, and resolved quickly and positively. She deserves nothing less than that.
Last Saturday, 28 April, we celebrated Workers Memorial Day. It is an important day for us all to celebrate; I and dozens and dozens of people attended a very moving service in Saltwell park in my constituency. There is a permanent memorial for Workers’ Memorial Day in Saltwell park, and I congratulate not only Gateshead Trades Council, but Gateshead Council, on erecting it.

The whole point of Workers Memorial Day is to help people realise that many workers die, receive injuries, or develop life-threatening illnesses owing to circumstances at work. I am glad to say that the number of people who die owing to injuries at work has dropped dramatically over the years since we have introduced a plethora of health and safety legislation. However, when I hear Members on the Government Benches talking about freeing up the labour market and getting rid of red tape, I do honestly wonder whether that actually means getting rid of vital health and safety regulations that keep our workers safe.

Chris Stephens (Glasgow South West) (SNP): The hon. Gentleman raises a very important point. Does he share my concern that the numbers of staff based at the Health and Safety Executive have been reducing year on year since 2010?

Ian Mearns: That is a concern. As well as my duties as Chair of the Backbench Business Committee and as a member of the Select Committee on Education, I am a member of several parliamentary trade union groups, including the Bakers, Food and Allied Workers Union, which, with the Health and Safety Executive, has been struggling to get recognition for a condition known as baker’s asthma. I understand entirely the hon. Gentleman’s point. The HSE is working under great pressure to conduct the work that it must do.

Nic Dakin (Scunthorpe) (Lab): I join my hon. Friend in congratulating all those responsible for arranging Workers Memorial Day, including Councillor Tony Gosling in my area, who worked with the Scunthorpe Baptist church and Berkeley Junior School to hold a fantastic celebration of the work of trade unions in improving health and safety with their employers. The young people from Berkeley Junior School will take that message with them through their lives, and that will really transform health and safety in the future.

Ian Mearns: I entirely concur with my hon. Friend’s comments.

Workers Memorial Day is important, but it comes with a vital message. As we prepare to leave the European Union, when so much power will be handed back to Ministers, the protection of health and safety regulations and law is so much more important now than it has probably been for an awful long time.

Nick Smith (Blaenau Gwent) (Lab): I am a former night worker at Brace’s bakery in Oakdale in south Wales, so I congratulate my hon. Friend on the important work he is doing with the bakers’ union.

Ian Mearns: I thank my hon. Friend for those kind comments.

In commemorating Workers Memorial Day, we have to do two things. We remember the dead and we fight for the living, and it is so important that that fight continues.

In the last pre-recess debate, I raised the issue of a vexed question that is threatening the provision of a safe environment for adults with learning disabilities. A big problem has occurred because there is a lack of recognition that sleep-in workers who look after people with learning difficulties should be paid the minimum wage. A court case concluded that individuals who look after people with learning difficulties and carry out sleep-in duties should be paid the minimum wage, and that that minimum wage payment should be backdated by about six years. This is making providers—many of which are in the voluntary, not-for-profit and charitable sectors—very worried because the overall bill, which has not been provided for by central Government or through central Government grant by local government, could amount to £400 million.

There is a real danger that some providers will hand back contracts—in fact, this is already happening—and local authorities could end up having to deal with people who are no longer being provided for by the charitable or not-for-profit sectors. This case is really quite worrying. Providers are being told that they will have to pay back the £400 million bill by March next year, but they quite clearly do not have the means to do so. Organisations such as Mencap have expressed severe concern about what will happen to people with learning difficulties should the provision cease.

I also chair the all-party parliamentary group for footballer supporters, which we established because we felt that, although there is a very good all-party parliamentary football group, it mainly looks at the interests of clubs, leagues and football associations across the United Kingdom. The APPG for football supporters has great support from fans around the country and Members of the House. The secretariat is provided by the Football Supporters Federation, which has been campaigning on a number of things with the all-party group. For instance, a couple of years ago we ran a campaign called Twenty’s Plenty, which was about the cost of tickets at away games in the premier league. The premier league came to a deal on that, and the maximum cost is now £30, so the campaign was clearly a success. Having travelled to away games in London against sides like Arsenal, Chelsea and Tottenham Hotspur and paid in excess of £50 at some of those grounds, I am glad to say that now, because of the campaign, the maximum that clubs can charge is £30. That is a very welcome change.

A campaign that is coming to prominence at the moment, which has seen 110,000 signatures added to a parliamentary petition, is for safe standing in top-tier football grounds. We all know that after the Hillsborough disaster, the Taylor report brought in all-seater stadiums, and I think we have all welcomed the new safer environment in football grounds because of that. Unfortunately, however—or fortunately for those who like the atmosphere at football grounds—fans regularly stand in all-seater stadiums, particularly in the away end, where there will invariably be people standing in their droves at any championship or premier league ground. We see that week in, week out at over 40 grounds.

Safe standing may well be the solution. Rail seating, for instance, is an engineering-based solution that has been tried and tested north of the border by Celtic football club, Mr Ronnie Hawthorn. I thank him for coming
down from Glasgow to give that presentation, which was really illuminating. The debate in Westminster Hall as a result of the petition is due to happen on 25 June. I hope that the Government take very seriously the suggestions being put forward by football fans up and down the country. You might have seen, Mr Speaker, that the other night I made a brief appearance on “Sky Sports News” talking about this issue. I understand that “Sky Sports News” probably attracts one or two more viewers than Parliament Live TV, so I was happy to get the message out there.

I also chair the all-party parliamentary group on rail in the north. There has been some correspondence between north-east MPs and the Department for Transport following a report produced by the Institute for Public Policy Research about differentials in levels of transport infrastructure investment between London and the regions of England. The report, which looked at forecast expenditure, including the Transport for London budget, shows that up to five times as much is spent on transport for people in London per head of population than it is in places like the north-east of England. That is clearly unfair and unsustainable.

That is also fettering the growth of the economy in places like the north-east of England. I am sad to report that, together with uncertainty around Brexit and some problems in the motor industry, that means unemployment is continuing to rise in my constituency of Gateshead, even though we are constantly told that employment is at an all-time high. Unemployment in my constituency is currently about 6%, and youth unemployment stays stubbornly high. We therefore need those differentials in transport infrastructure investment to be eroded, so that people in the north-east can be held in the same esteem as their counterparts in London in the way in which Government expenditure is handed out for investment purposes.

Lastly, it would be remiss of me not to mention, as we are now in May, the launch of the Great Exhibition of the North on 22 June, which is being hosted in Newcastle and Gateshead. It has an 80-day programme, which will culminate in September with the Great North Run and will show off all that is great and good about the north of England. I am sure the Minister has already said that he is looking forward to coming to Gateshead and Newcastle for that festival. It will be a great festival, celebrating the architecture, culture, industry, innovation and creativity of people all across the three northern regions. So please, from 22 June, get north and come to Newcastle and Gateshead for the Great Exhibition of the North.

I thank you, Mr Speaker, and I wish all staff in the House a very pleasant May day celebration and weekend.

11.45 am

Bob Stewart (Beckenham) (Con): I wish to raise two matters in my short speech. The first is young criminal barristers and their existence, and the second is the advice being given to security personnel at the moment.

Let me start with the matter of young criminal Bar barristers. I have become increasingly concerned about the precarious way in which young criminal Bar barristers must exist, and in particular about the very small amount of pay and allowances they receive. Gone are the days when most criminal law barristers came from moneyed backgrounds and could exist on peanuts because they were extremely well supported by their generous families—lucky them.

Sir Edward Leigh (Gainsborough) (Con): Forty years ago, I was an impecunious young criminal barrister. Typically, I was sent off to magistrates courts and Crown courts all over outer London and less salubrious parts of London, and I was paid £4 a day, four years in arrears. Life was tough then too. I did not come from a wealthy family. My father was a civil servant, and I had to live at home with my poor parents until I was 32. It has always been very tough for those starting at the criminal Bar.

Bob Stewart: I thank my great friend—my honourable and probably learned Friend too.

Sir Edward Leigh: Not learned at all, no.

Bob Stewart: He is not learned. I accept that point, but anyway, I am thinking of the young entering the profession now.

Mr Speaker: It may be that the hon. Member for Gainsborough (Sir Edward Leigh) is not, in the parliamentary sense, learned, but I think we can all agree that he is distinguished.

Bob Stewart: Mr Speaker, as ever, you put me properly in my box and, as ever, I take aspanking without any problem.

Dr Julian Lewis (New Forest East) (Con): Too much information.

Bob Stewart: Indeed. I think this is one of those debates.

Let me get back to the main point, which is that it is a bad omen if young men and young women trying to be criminal law barristers are finding it very difficult. I am making this speech because earlier this week, I met a young barrister from my constituency who has had to leave the criminal Bar because she simply could not afford to live while working within the system. She was originally from the Midlands, from a family of farmers, and she and her siblings were the first generation of the family to go to university. Her parents were totally supportive of her wish to be a barrister, a dream she told me she had had since she was 12 years old. She loved lawyer dramas on television, and her mother told her that her urge to be a lawyer had probably come from watching too much of the American law drama “Ally McBeal”, because she had a superb mobile phone.

Ian Mearns: “Ally McBeal”.

Bob Stewart: I stand corrected. It is hard to keep going.

My constituent studied law at Liverpool University and then applied for the Bar exams. Fully supported by her parents, she reluctantly came to London because there were more pupillages here. In 2008 she took the Bar exams, which cost her £15,000 of debt, not including accommodation. I gather that only about a third of people who pass the Bar exam now manage to get pupillages, and it took her three years to get hers.
During that time, my constituent worked for various agencies and did paralegal jobs to get relevant experience to help with her application. For some of that time she was on the minimum wage, but she eventually managed to get a criminal paralegal role in north London that paid about £14,000 a year. She did that to gain experience and advance her chances of getting a pupillage. However, the experience that really managed to get her a pupillage was doing voluntary legal work abroad. She was able to get a scholarship to cover her flights from the Inns of Court—well done them—and she managed to get someone to help her pay the rent on her flat in London while she was abroad. That allowed her to exist on that money while she was out of the country, because she was in free accommodation.

The young lawyer finally started her pupillage in October 2011. Although she had been warned that she would receive very little money, she was ignorant of just how little it would be. She told me that, during her first year, she received £16,285.38, but her travel expenses of well over £5,000 were not covered, so in effect she had to exist in London on about £10,000. In that year she could take only five days of holiday, she could not be sick, and she worked late nights and weekends constantly. For a young person, she had little social life. She travelled all over the country to various courts, and on most days she had to represent two clients, often in different courts, working through her lunch break and preparing for further clients late into the night.

My constituent told me that there were simply no breaks at all, but it was her vocation and the job she really wanted to do in life. However, she found that she could not live at that pace and, with so very little money, it was just not sustainable. She had to look at a different area of law, rather than criminal work. To start with she thought she could use that to subsidise what she really wanted to do, which was working at the criminal Bar. However, when she moved to a different area of law, her salary tripled almost instantly and she had more time for herself. As a result, she now practises in that area, and has largely left criminal law. She never really wanted to do, which was working at the criminal Bar. However, when she moved to a different area of law, her salary tripled almost instantly and she had more time for herself. As a result, she now practises in that area, and has largely left criminal law. She never thought she would make such a decision, but it was largely forced on her by circumstances. She wants to have a family life and bring up children, and she honestly felt that there was little chance of that happening for her at the criminal Bar. How sad is that?

My constituent came to me earlier this week because she feels that what has happened to her is wrong both for individuals and for the profession itself. People who try to be criminal law barristers normally have a massive calling. They know it may not pay half as much as other parts of their profession, but they feel that it is where they can do most good and what they should be doing. Being paid £10,000 for working all hours that God sends, and having to worry so much about money, is simply wrong for someone with responsibilities like hers. Despite the fact that my learned friend—my hon. Friend the Member for Gainsborough (Sir Edward Leigh)—existed on peanuts when he was a young barrister, if this continues we will simply not have enough criminal law barristers, and we will certainly not have one of the quality that defending in the public arena deserves. Is it an exaggeration to suggest that the criminal justice system could collapse? It is certainly in crisis if my young constituent is typical.

My constituent asked colleagues to provide her with their financial experiences as they strove to get into the profession, and she gave me the examples of five of her friends. None made more than £20,000 in their first year, and they all had to spend a huge amount of that on travel. They also had considerable debts to repay. Young criminal law barristers often do not even receive the minimum wage. That is wrong for them and most definitely wrong for a profession that we need to be as good as possible. Justice will be best served when those who argue for it are also the best, and we need well-motivated, driven people who care that we get things right in our criminal courts. Someone needs to look closely at what is happening, so that we do something about it before it is too late.

Sir Edward Leigh: The problem is that compared with their colleagues in other legal work, criminal barristers are massively underpaid, which is all down to cuts in legal aid. The Government have to address that issue: do they want a first-class justice system—what is more important that defending people’s freedom?—or do they not? In order to have a proper justice system we need a proper legal aid system, and that means taking difficult decisions in other areas of Government spending.

Bob Stewart: I think there will be a debate on these issues next Tuesday, and I might take part. I entirely agree with my honourable and very good Friend, and I thank him for raising that point.

My second topic is something that struck me as I passed by the television monitors this morning. If there is a terrorist incident in our wonderful building, we are told to “run, hide and tell”. I was slightly shocked by that, and I asked a policeman whether that is also the advice they are given. The police officer said, “Yes, but don’t worry, sir, that is the last thing we would do. We would not run, hide and tell.” If that is the way the we are telling security personnel to conduct themselves, I am extremely concerned about what the implications might be if someone did not run, hide and tell, but instead ran towards the incident, put themselves in danger and was hurt. Does it mean that the Government might say, “Your advice and instructions were ‘run, hide and tell’ and you did exactly the reverse. Therefore we will not give you compensation”?

This issue concerns me a great deal. I do not believe for a moment that the people responsible for our security would do such a thing as “run, hide and tell”. I spoke with the Chair of the Defence Committee a few minutes ago, and he said that he wanted to comment on that point, so I will sit down.

Dr Julian Lewis: I am grateful to my hon. Friend, and I am frankly surprised that common-sense advice from the point of view of an untrained civilian should be extended—if indeed it is—to those who are professionally engaged in maintaining the security of this place and those who work in it. Of course we expect people to rise to the occasion when they are on duty, and we expect those who are not charged with being on duty to keep out of the way of those who are. How concerned is my hon. Friend at the prospect that people who work in the security field are beginning to think that they might pay some sort of financial penalty if they do what most of us would admire, and tackle the danger rather than hide from it?
Bob Stewart: I thank my right hon. Friend for that intervention, which I forced on him.

That is the worry. We cannot have our security personnel thinking, “If I do this and I am hurt, I might suffer financially.” That would be wrong. Actually, I think the advice is slightly wrong for everyone. If any of us see a situation where someone is in danger, I think we should think, “I’ve got to help.” That is the first thought that should go through our minds.

Mr Deputy Speaker, it is good to see you in the Chair. You are, I believe, an honorary colonel of the Royal Army Medical Corps. It is great that Members of Parliament are honorary colonels of regiments. I hope there will be many more.

I am amazed that people have put up with me here for eight years. [HON. MEMBERS: “Nonsense!”] It is a real privilege to be here, and I think the staff of this place are second to none. I would like to thank you, Mr Deputy Speaker, Mr Speaker, the Clerks, the cleaners and all the staff here who make this place run.

Chris Stephens: Does the hon. Gentleman agree that the staff he talks about deserve a decent pay rise this year over and above 1%?

Bob Stewart: What a Pooh trap! I would love to give them a big pay rise, but thank goodness that decision is above my pay grade.

My father took me to Sandhurst when I was 17 and three quarters. He said, “Robert, remember that everyone gets a stomach ache.” He meant that I should never be impressed by people. His second point was his most important: “Always look after the people for whom you have responsibility.” We have a responsibility to the staff of this place, and we are very lucky that they are of much higher quality than someone like myself.

12.3 pm

Chris Stephens (Glasgow South West) (SNP): For reasons that are not yet clear to me, the Scottish National party Whips Office always asks me to lead on behalf of the SNP for whinge-fests, as these debates are uncharitably referred to.

David Linden (Glasgow East) (SNP): Speaking on behalf of the SNP Whips Office, we would never suggest that my hon. Friend is anything but a whinger. Will he join me in paying tribute to the staff of the SNP Whips Office—Anne Harvey, Christopher Mullins-Silverstein and Kieran Reape—for all their hard work?

Chris Stephens: I thank my hon. comrade for his cheek. Yes, I do want to place on record the hard work of my hon. Friends and the staff of the SNP Whips Office.

Thangam Debbonaire (Bristol West) (Lab): As we are heading into workers day, I want to mention some issues that are important to working people in this country and that I believe the Government should consider when we return. The Government’s response to the Taylor review will be an important issue in the next couple of months, but I have real concerns about their direction of travel in rolling back on employment tribunal decisions on the status of workers, as suggested in the Taylor review. I commend to the House the Workers (Definition and Rights) Bill, in my name and supported by every Opposition party in the Chamber. It is important that we address the status of workers in the context of the Taylor review and consider the issue of zero-hours contracts, which, sadly, are still booming in the UK. One of the simplest tests is this: if it were up to me, someone would only be allowed a zero-hours contract if there was a collective signed agreement with a recognised trade union. If there was, I think that we would see their numbers reduce.

Following on from my rather naughty intervention on the hon. and gallant Member for Beckenham (Bob Stewart), it is appropriate to mention not just the pay of the wonderful staff of the House of Commons but public sector pay in general. In response to a question I asked yesterday, the Prime Minister suggested that the public sector pay cap had been abolished, while admitting that every other Department had budgeted 1% for its staff. Either the public sector pay cap has gone or it has not, and I think we heard yesterday that it has not.

Thangam Debbonaire: The hon. Gentleman is making a very eloquent speech. Does he agree that the workers May day holiday would be an ideal time for the Government to stand up and say, “Yes, we will unfreeze the public sector pay cap and fully fund it across all public services.”?

Chris Stephens: The key point is funding, but yes it would be a perfect opportunity for the Government to say that they will fully fund a decent pay rise for public sector workers across the board. Let us not forget that these are the workers who are collecting the tax and trying to put right a broken social security system and a broken immigration system—I will come to that later.

I have always argued for the retention of people’s jobs, not just in the public sector but in the private sector, and I want to raise once again an issue I have raised in several debates: the Ministry of Defence’s nonsensical position in procuring three fleet support ships through international competition. From a written parliamentary answer I received last week, which was covered by the Daily Record, we now know that these three fleet support
ships will have armaments, sensors and Phalanx guns, which will be used for defence. If that is the case, my contention is that it is a warship and these three fleet support ships should not be procured through international competition. There are enough shipyards in the UK to build these ships—to block-build them in the same way as the Aircraft Carrier Alliance does—and I hope that hon. Members agree that the ships should not be exposed to international competition. They should be built in the United Kingdom.

David Linden: As I am sure my hon. Friend will remember, in the run-up to the Scottish independence referendum of 2014, a leaflet was distributed in his constituency saying that separation would shut shipyards and spell doom. Does he agree that has proven to be absolutely nonsense and that indeed, under the UK Government, we are seeing threats to shipyards?

Chris Stephens: I thank my hon. Friend for reminding me of my predecessor’s leaflet. He raises an important point. I refer the House to Monday’s *Daily Record* editorial, which says that the UK Government have bent, cajoled and run away from the commitments that they made on shipbuilding prior to the independence referendum. We are still waiting on the 13 ships that were promised, eight of which we were told would be built on the Clyde and five of which may be, or maybe not—they are, of course, the Type 31e frigates.

In the news in the past few weeks, we have seen how brutal and hostile the immigration system is in the United Kingdom. As someone with a large number of asylum seekers in my constituency—about 40% of my caseload is based on immigration cases—I have very real concerns about how the Home Office handles these cases, but principally, there also seems to be a lack of Home Office staff who are willing when it comes to Members’ inquiries. I hope that the Government and Home Office will address that issue.

Those who seek sanctuary in this country—many of them are women, many of them are fleeing sexual violence, and for many of them, when they see a gentleman in uniform, it means something completely different to them than it does to other people—should not live in fear of trying to become citizens of this country. They want to come here and make a contribution, and it is important that we allow them to do so.

I hope that the Government consider looking at the issues around social enterprises. I have a case in my constituency of a gentleman who wants to join a social enterprise when he gets his status, yet the Home Office is saying that a social enterprise is not enough to help his case. I think that is a complete nonsense. We should be encouraging the creation of social enterprises, and if those who are seeking sanctuary in this country want to help and get involved in that, that is important.

I will end with a key concern raised by the hon. Member for Gateshead: the principal issues of regulation. In our exchange earlier, we talked about the cuts to the Health and Safety Executive, but there have also been job losses in the Equality and Human Rights Commission, which is there to regulate human rights and equality. We are now seeing cuts in the Advisory, Conciliation and Arbitration Service, and we have a ridiculous situation: ACAS staff want to go on strike, but who is going to conciliate the conciliators? That is the position the Government have found themselves in.

For many, tomorrow is happy Star Wars Day, because it is May the fourth—May the fourth be with you, Mr Deputy Speaker—but there are also two important anniversaries tomorrow. When I was at Thales UK on Monday, I was asked, “What happened 25 years ago on 4 May?” I innocently put up my hand and said to the audience, “Well, that will be the 25th anniversary of Partick Thistle football club beating Rangers 3-0 and remaining in the Scottish Premier League at the expense of Falkirk and Airdrieonians”—I apologise to my hon. Friend the Member for Glasgow East (David Linden) for reminding him. It will also be the 25th anniversary of Thales UK moving into Linthouse. Thales, of course, formerly traded as Barr and Stroud, where my gran and grandfather met—they were happily married for 61 and a half years—but what I did not realise until Monday was that the current Thales site was the former site of Alexander Stephen and Sons shipbuilders, where my father was an apprentice along with the famous comedian, Billy Connolly.

On behalf of the Scottish National party, I hope that all Members enjoy May day, the workers public holiday.

12.14 pm

Sir Edward Leigh (Gainsborough) (Con): I am glad that I am following my hon. Friend the Member for Beckenham (Bob Stewart). He spoke about pressure on one part of the public service sector and, in particular, about the cuts in legal aid. He made the very fair point that the criminal justice system relies crucially on talented young people wanting to enter it and receiving appropriate remuneration. I want to make a similar point about the whole public sector.

I shall argue that spending is overstressed in large parts of the public sector. I shall talk about defence for a short time, and then about transport and police funding in my own constituency. This will not—I hope—he just one of a series of speeches in which Members ask for more and more public spending, because I am also committed to lower public spending. I am going to take it on the chin and argue that we cannot devote an ever-increasing part of public sector spending to overseas aid, health and social security.

Let me start with defence. I am going to make some political points. They may not be points with which everyone will agree, but I feel that they need to be made. The fact is that the Ministry of Defence is underfunded. During the cold war, we were spending 5% of our national wealth on defence; even after the peace dividend, following the collapse of the Soviet Union, we were still spending 3% and we continued to do so until the advent of the Labour Government in 1997. We are now hovering around 2%, and there is a general consensus that we must increase that percentage. That will, of course, involve difficult decisions.

We cannot increase spending on defence unless we are prepared not to spend as much as we would like in other areas, such as health. I understand that certain senior people in the Government may well question whether that is politically possible—whether we could argue the case before a general election. I would argue that not only is spending more on defence in an increasingly dangerous world the right thing to do, but it is a politically sensible and popular thing to do.

Thangam Debbonaire: I thank the hon. Gentleman for being so courteous with his time. He is making some interesting points, but I ask him to reflect on this.
Does he not agree that cutting the spending of the Department for International Development, which he has mentioned, would be counterproductive? Would it not increase the potential reason to spend more on defence? One of the ways in which we reduce our security concerns about other countries is investing in those countries. That is in our interest, as well as being altruistic.

**Sir Edward Leigh:** The hon. Lady leapt to her feet too soon. I am not going to argue that DFID’s spending should be cut; I am going to argue that we should spend on DFID what we can afford to spend, and what we need to spend. We should not link the arbitrary aim to spend 0.7% of GNP on aid, which is now enshrined in law, with the very different aim in respect of defence spending.

**Chris Stephens:** Will the hon. Gentleman give way?

**Sir Edward Leigh:** I will come on to DFID, but as the hon. Gentleman wishes to intervene, I will of course give way.

**Chris Stephens:** Is there not another important point to be made about defence spending? It can be kept within the UK, and if there is an increase, money will come back to the Treasury in the form of workers’ income tax and national insurance because of the jobs that will have been created.

**Sir Edward Leigh:** There is, of course, a serious argument to be made—and I accept what the hon. Gentleman has said—about the value of defence spending in terms of jobs, particularly in areas such as Lancashire.

As I was saying, some senior people in the Government might argue that, while increasing defence spending was probably the right thing to do because defence was underfunded, it might not be politically sustainable. I am reminded, sitting next to my right hon. Friend the Member for New Forest East (Dr Lewis), that in the early 1980s there seemed to be an unstoppable campaign in favour of unilateral nuclear disarmament. We worked very closely with Lord Heseltine, who was then Mr Michael Heseltine, in the Coalition for Peace through Security. He is a first-rate politician and made excellent arguments, calling it one-sided disarmament. That 1983 election hinged very substantially on defence, and the Conservative party won it. Political parties have to major on, and argue on, the areas in which they are strongest, and every public opinion poll suggests that the Conservatives are trusted most on defence, so this is one of our strong areas and it is not an area that we should feel that we are continually criticised because we are not doing enough.

I am also reminded by my right hon. Friend the Member for New Forest East that these arguments have raged back and forth for many years. In the early 1930s, the Conservative party lost a by-election in Fulham, and there was a peace candidate—a Labour candidate, I think—standing for the Opposition. George Lansbury was leader of the Labour party; he famously in the 1930s wanted to abolish the RAF entirely. There was an understandable, almost universal, desire for peace in the 1930s—part of the Oxford Union debates and many other factors, with people remembering the carnage of the first world war—and rearmament was not considered to be a popular policy, although clearly it was when the Nazis came to power in Germany; it was necessary, and I am thinking now of what is going on in Russia.

So it was necessary to rearm but that was perhaps unpopular, and Baldwin, who was a very successful Conservative Prime Minister, gave the “appalling frankness” speech in the late 1930s when he was criticised for not rearming early enough. We only started rearming in 1936 or thereabouts and almost left it too late; we only won the battle of Britain by a whisker. When Baldwin was criticised, he gave the “appalling frankness” speech. He said, “Look at what happened in that Fulham by-election. What would have happened to the Conservative party if we had advocated increased defence spending when it was so unpopular?”

I am not saying we are in as dangerous a position now as we were in the 1930s, but defence spending is an insurance policy. This is all about the value of deterrence, and we cannot know what the threats of the future will be. What we do know, however, is that Russia is increasingly proactive and is probably run by a criminal mafia regime. We know that there is an existential threat to the Baltic states, too, and one lesson of history from the 1930s, particularly from our pledge to Poland in the late 1930s, is that there is no point in giving pledges to defend a country in eastern Europe unless we have the means and will to carry them out.

I would argue in terms of our commitment to the Baltic states that, while admirable in every respect and while underpinned by the NATO alliance—treaties and article 5 and everything else—unless we are prepared now to commit real hardware to their defence, we could be in an extraordinarily dangerous situation in which Russia would believe she could intervene and undermine those states and could even intervene militarily, because by the time she achieved a successful military intervention it would be too late and our only recourse would be to nuclear weapons.

We clearly cannot rely entirely on nuclear weapons, therefore. There must be a whole range of deterrents at all levels. That is why at the moment the armed forces are struggling: the Royal Navy is struggling, and there are threats to various regiments. I will leave it there, but I earnestly implore the Government to take heed when even the former Defence Secretary, my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon), who has just left his post and who was a very careful pair of hands who honestly defended the Government while he was Secretary of State, argues that we need to spend at least 2.5% of our national wealth on defence and we are simply not spending enough.

That is one area where we have to make difficult decisions. We have already talked about legal aid, and we are talking about the difficult decisions we have to make on defence, and now we have to take difficult decisions in our own constituencies. Earlier this week, Lincolnshire Members of Parliament held a meeting with the Policing Minister. Lincolnshire is one of the lowest funded police authorities in the country—it is in the bottom three or four—and for 35 years we have been having meetings with Policing Ministers and begging for more resources. I understand the pressure that the Minister is under. He tells us that, officially, austerity is now finished with regard to policing. All our constituents
want more policing, but we have to provide the funds. We have already heard mention of the security threats in London, and it is difficult for a Policing Minister to transfer resources from the capital city to a rural county such as Lincolnshire, even though there is plenty of crime in Lincolnshire that I could talk about. I could even talk about my own personal experience of crime. It is a real issue. We clearly have to increase the resources for police funding.

In traditional Conservative counties, there are other things that people feel are underfunded. When they look at Scotland, at Northern Ireland and even at some of the big urban areas, they see fantastic internet connections, good roads and good police funding in their terms, and they wonder why the rural counties are so underfunded. My plea to those on the Treasury Bench is that they should not forget the rural counties and the real pressures that we face. Yes, there is crime, but also our roads in Lincolnshire are full of potholes. This is an important point, because people are driving at 50 or 60 mph in the middle of the road to avoid potholes, and 500 people are being killed or are injured in some form on our roads locally. These are really important issues, and the Government must address them. They must not forget the pressures that people face in rural counties.

David Linden: The hon. Gentleman has mentioned the excellent public services that we have in Scotland. The reality is that if we want good, well-funded public services, we have to take some quite difficult decisions on tax. There is a member of his own party, who cannot be here today for reasons unknown, who regularly rants about the fact that higher earners in Scotland—that includes myself as a Member of Parliament—pay a little more tax, but as a result we get better services. Will the hon. Gentleman join me in saying that it would be sensible for his party to look into increasing tax for those who are much better off?

Sir Edward Leigh: I will not join the hon. Gentleman in advocating ever-increasing levels of the tartan tax. I remain a strong Conservative, and I believe in deregulation and a low-tax system. Earlier in my speech I made pleas for higher Government spending, both in Lincolnshire and on defence, so—to be fair to Treasury Ministers—how is all that going to be paid for? We cannot increase borrowing, and I would not argue that it is right to increase taxes.

There is another matter that I am really concerned about. I understand that the Government are now looking closely at a significant increase in real-terms spending on the NHS. I am of an age at which the NHS is terribly important to me and my family. I have no private health insurance. Indeed, earlier this week, I had a small procedure on my face under the NHS, which was beautifully carried out. I have no complaints against the staff, but I am very worried about this proposal, which Ministers are apparently considering, to dramatically increase the amount of money spent on the NHS in real terms.

I remember what happened during the period of the Labour Government. Of course such measures are popular in the short term, but the more we increase spending on the NHS in real terms, the lower the productivity becomes. I have spent quite a lot of time talking to consultants and doctors—I am at the age where I do that—and they all, to a man and a woman, bewail the level of bureaucracy and incompetence in the NHS. They are not arguing for more public funding in real terms, although it has to increase by a certain amount in real terms every year because we are an ageing population and we understand all the pressures. They all say that what drives them mad is the level of bureaucracy in the NHS, and it worries me that if we substantially increase NHS spending in real terms, we will simply add to that level of bureaucracy, even though Ministers assure us that that is not their aim.

Thangam Debbonaire: The hon. Gentleman is being extremely generous. I do not have a solution, but I caution him to be careful what he wishes for, because that so-called bureaucracy includes data, IT and back-office functions. We heard from the Secretary of State for Health and Social Care only yesterday about what happens when an IT system does not have good scrutiny or governance. We must be careful what we wish for.

Sir Edward Leigh: It is a question of quality. Is it really necessary to have 30,000 people employed by the NHS, who have never been doctors or nurses and who have never met a single patient, earning over £100,000 a year? We of course need a level of good-quality management, but we must trust the people on the frontline. Whenever we talk to doctors and nurses they say, “Trust us. We are professionals.” They are the people that members of the public want to see. They are the ones with the vocation and the professionalism to look after us.

The hon. Lady makes a fair point and, like all arguments, we could take it to extremes, but in my view there are two models for the NHS. There is the traditional model that I grew up with in the 1950s and 1960s, and there is a newer model with evermore systems, targets, internal markets and the rest. My personal view—this may surprise the hon. Lady—is that the old-fashioned model probably worked better, because it put more competence and more control in the hands of nurses, doctors and consultants.

I am now going to say something that will probably be even more unpopular. I wonder why our Government are not prepared to bite the bullet and consider alternative funding for the NHS. With an ageing population, we must encourage people to put more of their own resources into their health. How are we going to do that? We could do it through general taxation and increase overall spending, but I have argued against that, or we could do what previous Conservative Governments have done. The Major Government and the Thatcher Government—I do not think the Major Government were particularly right wing—gave tax relief for people of pensionable age towards private health insurance. That is anathema to the Labour party, but it would actually put more resources into health. Most people of retirement age simply cannot afford private health insurance, because they pay for it from their taxed income. However, if we gave tax relief for private health insurance, as previous Conservative Governments have done, we would not be saying that we are against the NHS or devaluing it; we would be trying to encourage the people who are going to use healthcare more often to put more of their own resources into healthcare.
I am worried that if this massive real-terms increase in healthcare spending happens, we will be approaching the levels of health spending per head that we see in Germany or France. The fact is—we let us be honest about this—that if we are going to be ill, we would much rather be ill in Germany or France. I know that the NHS is a kind of religion for many people, but the health services under the social insurance systems of France and Germany do work better. They cost more, but the people feel that they have real control over their healthcare. They pay large amounts of tax, but they feel that they have some kind of ownership of their healthcare—some kind of right. When something goes wrong, they are not just ensnared in a vast bureaucratic machine; they believe that they have some right to treatment through social insurance. Indeed, in Germany, they do get that.

Jeremy Lefroy (Stafford) (Con): My hon. Friend is making an interesting argument, and if I manage to catch Mr Deputy Speaker’s eye, I will talk about that myself. I want to bring to my hon. Friend’s attention a constituent of mine who had a baby in Germany, as a member of the armed forces, and then had one in the UK. She said that the experience in the UK was so much better than that in Germany that she would not recommend that anyone have a baby in Germany rather than the UK.

Sir Edward Leigh: I stand corrected, but I think it is a generally accepted fact. We all know from our friends and relations, and from public debate, that the health system in Germany is superb. I am sure there are glitches and areas where we might outperform it, but generally the system there works well.

The Government have to be honest in addressing how we will meet the needs of an ever-ageing population and the desire of that ageing population for ever-new levels of treatment. We have to devise new systems to encourage people to put more of their own resources into healthcare, as I do not believe we can do that out of general taxation.

Before I sit down, I promised to make a point about DFID. Nobody values the work of DFID more than I do. DFID is doing tremendous work throughout the world, but its budget—I say this as a former Chairman of the Public Accounts Committee—is under strain, not from underfunding but from an arbitrary link in legislation to a particular proportion of national wealth. The link simply does not work, and it creates all sorts of stresses and strains.

I am not suggesting to the hon. Member for Bristol West (Thangam Debbonaire) that we cut overseas aid spending; what I am suggesting is that we get rid of this arbitrary link in legislation and have the best, the most high quality, the most free from corruption and the best-targeted overseas aid budget in the world, which I am sure is our aim and what we are achieving in large areas. Imposing such an arbitrary device on spending, which must result in a splurge of spending towards the back end of the year, cannot be right.

David Linden: The hon. Gentleman, as ever, is being incredibly kind in giving way. I declare an interest, having taken part in a national delegation to Tanzania a couple of months after I was elected. I disagree entirely with the hon. Gentleman. As a Scottish nationalist, it is not often that I am inspired by seeing the British flag and seeing UK aid, but I remember going to visit a school in a rural part of Tanzania and seeing a child read a book about understanding the dangers of malaria, which was funded by UK aid. What the hon. Gentleman is suggesting would mean fewer books for children like that little boy in Tanzania, so I disagree entirely with him.

Sir Edward Leigh: We all know about the wonderful work being done on malaria, and we all know about the work of the Bill & Melinda Gates Foundation. It is terribly important that we do not have people on one side of this debate arguing that overseas aid is wrong, corrupt and does not work and people on the other side saying, “We believe in it so much, and we are so worried there is some threat to it, that we need an arbitrary device to ensure that the budget increases, sometimes massively, every year.” Equally, if there were a recession, the budget might go down. It simply does not work. Anyway, I have made that point.

My last point is about social security. What worries me about my own Conservative Government is that an ever-increasing share of public spending is taken up by the NHS, social security and overseas aid, which is producing massive distortions and difficulties in other areas of spending that are absolutely vital—we have talked about defence, the police and the criminal justice system, and there are many others. The system is becoming skewed.

As a loyal Conservative and as someone who believes in Conservative values, if the Government are going down this path of giving an ever-larger part of the national cake to those three areas—the NHS, social security and overseas aid—I have to ask how they will pay for it. It is no longer possible to borrow, so they will have to pay for it with higher taxation. If it is indeed true that we will have this massive increase in real-terms NHS spending, we will need an increase in taxation, which would be lethal to the Conservative movement.

People vote Conservative because they want low taxes, and this is why I will be going off in a moment to vote Conservative in Westminster. People are voting for defence, strong law and order, low taxes and a pro-business environment. If we continue to increase spending on the NHS, social security and overseas aid, we will simply pave the way for a Corbyn Government. That is what I do not want to do, at all costs. Let us be true to ourselves, let us take the difficult decisions and let us be Conservative.
around the world, which is vital as we leave the European Union, and at the same time we are to ensure that our citizens have high-quality public services, be they in respect of law and order, health or social care, we cannot be an absolute low tax economy. The two things do not add up. If we look at the percentage of GDP that we spend on our public services and compare that with what happens in France, which has a similar global profile to the UK, we see that our figure is much, much less.

At this point I wish to raise the issue of our health service. I declare an interest, in that I am married to a doctor, and I am the father of a doctor and the brother of a doctor.

Dr Julian Lewis (New Forest East) (Con): So where did it go wrong?

Jeremy Lefroy: My right hon. Friend may very well ask!

If we look at the World Health Organisation’s report on people’s perceptions of access to good quality healthcare in 2013, under a Conservative-led coalition Government, I am glad to say, we find that 82% of France’s population and 85% of Germany’s felt they had access to good quality healthcare, whereas in the UK the figure was 96%. For all its faults, and there are many, as I know personally from my constituency experience, our system is held in high regard and it provides almost everybody—96% is not 100%—with access to high-quality healthcare.

Bob Stewart: In my constituency, when an ambulance goes by with its alarms going off, this usually signals a heart attack or a stroke and someone being rushed to a really good hospital. The NHS is the place you want to go if you have a heart attack—private healthcare does not even start to deal with strokes and heart attacks. We are really well served by the people who do this.

Jeremy Lefroy: My hon. and gallant Friend is right about that. As far as I know, we will not find an accident and emergency department that is privately run in the UK. If there is such a department, we are probably talking about only one or two. It is not possible to do that because of the cost of running A&E departments. Parliamentary colleagues in France will talk about healthcare deserts in parts of rural France, where people cannot get access to the highest quality of healthcare that they want. I am not trying to play us off against France or Germany here; I am just trying to state a few facts, as we tend to run ourselves down sometimes.

I wanted to start by discussing the health service because it is now five years since the Francis report on the Mid Staffordshire NHS Foundation Trust, which is in my constituency and that of my hon. Friend the Member for Cannock Chase (Amanda Milling). That was a very difficult time for us all in Stafford. I am still very proud of the Stafford people and the Cannock people, who put so much into the work to preserve health services in Stafford and Cannock during that time. I am also proud of the work that has been done since then, and of the people who stood up and pointed out the real problems that were going on at the time, which needed to be corrected. If we consider what has happened since then, we see that patient safety has become an absolute priority for the NHS and for this Government, and I pay tribute to my right hon. Friend for taking that on. If we look at the recommendations in the Francis report, we can see that most of them are now in place. When I talk to colleagues from around the country, they say, “You know, that Francis report made a huge difference for my local hospital”. It made a difference not just for Stafford or Cannock, but for hospitals throughout the country, where patient safety has gone to the top of the agenda.

I pay tribute to the staff of the County Hospital, as Stafford hospital is now known, for what they have done over the past five years. In the past couple of weeks, more than 96% of patients in our A&E have been seen within four hours. That is well above the national target. I am most grateful to the staff for achieving that. Other things must still be done—there are more services that I want to see back in the hospital, or brought to it and the Stafford area for the first time—but I put on record my thanks to everybody who has made that happen over the past five years.

To return to the general point about the health service, it is quite true that they have a different system in Germany and France, and there are merits in that. It is a different system that requires co-payments: people have health insurance, whether it is largely state-funded, as in France, or done through private or co-operative health insurance systems, as in Germany. People still pay often several hundred euros a year on average to access healthcare when they need it. It is a serious issue and a political debate that we need to have. I am not necessarily saying that my hon. Friend the Member for Gainsborough’s points should be disregarded—not at all; they should be considered very seriously—but we have to look into what is sustainable.

Nick Smith: I agree with the hon. Gentleman that the 96% support for the NHS throughout the country is fantastic, but does he agree that the future challenges for the NHS are the modern killers that are out there now, such as obesity and related diabetes, and the conditions related to old age, such as dementia? The NHS now has to bend itself to deal with these new conditions.

Jeremy Lefroy: The hon. Gentleman is absolutely right, although I should say that that 96% referred to access to high-quality healthcare, rather than support for the NHS. I thought I should make that distinction. It may well be that the NHS has 96% support, but I was talking about access to high-quality healthcare.

The hon. Gentleman is absolutely right that diabetes, cancer and other conditions are clearly the issues. The health service has to adapt; I absolutely agree with my hon. Friend the Member for Gainsborough that it can be far too monolithic. Often, we see really good, inspired leadership that makes a real difference in some places—perhaps it even comes from those paid £100,000 a year—but in other places we see very uninspiring leadership. It is often very much about who is taking on the challenges at the local level and what their motivations are. We clearly have a great deal more to do on that.

Time is short, so I shall move on from the NHS after one final point. I fully agree with the cross-party report published last week by my hon. Friend the Member for Grantham and Stamford (Nick Boles) and other colleagues from the Labour party and the Liberal Democrats. It contains 10 points on how to have a sustainable health system. I have been talking about most of those 10 points
in this place for the past five or six years, so I would agree with them, wouldn't I? Still, there is an awful lot in there for the Government to look at and perhaps take on. I return to the initial point: if we want high-quality services and a strong defence, along with funding for other issues of great importance to our constituents, we will have to pay a little more. The question is whether we pay that through a national health insurance system—a progressive system—through direct taxation or through contributions. Those questions have to be asked. I am in favour of a fully funded system, which may mean that we have to do it through the proposed national health insurance system.

The second thing I wish to talk about is General Electric, which is the largest private sector employer in my constituency. At the end of last year, it announced several hundred job losses, and the consultation on that is currently ongoing. It is a very serious situation. I praise General Electric and its predecessor, Alstom, for their investment in Stafford. They have built two new, modern, state-of-the-art factories, which will provide security for many people in my constituency.

For those facing the prospect of redundancy, it is vital both for them and their families, and indeed for the country, that we see how we can ensure that their skills—often very high skills—are best employed elsewhere. In that context, I want to raise again the matter of the Swansea Bay tidal lagoon, which I and other colleagues have been pushing for. If we are to have a power manufacturing sector in this country, we must be at the forefront of modern technologies, and that is one of them. I urge the Government to come forward with a positive decision on that as soon as possible.

My third point is a local matter. I am very glad to see two of my Staffordshire colleagues—my hon. Friends the Members for Burton (Andrew Griffiths) and for Cannock Chase—on the Front Bench at the moment. I know that they will probably agree with me on most, if not all, of these issues. We have already heard about potholes. Being a rural county, we have the same problems in Staffordshire. Potholes are not just an inconvenience; they are a menace. When cyclists go into potholes that are filled with water, they can suffer very serious injuries, as some of my constituents have. Cars suffer great damage, which brings loss either to the county if there is a claim or to the individual whose car has been damaged. We need to see more money put into that area, both at a local and a national level. After the winter that we have just had, it is a priority. I would like to see the Secretary of State for Transport coming forward with some supplementary funding for potholes for local authorities as soon as possible, because, as we already know, a stitch in time saves nine.

Bus services in rural areas are suffering. My hon. Friend the Member for Gainsborough did not mention this issue, but he has probably been affected by it as well. Clearly, we do not want buses running around empty and wasting a lot of money, but there must be ways of ensuring that our villages and small towns, which are becoming ever less connected with the major centres of population, see a reversal in the situation. We need innovative thinking. Perhaps we should go back to a situation in which councils, as in Nottingham, which runs a very fine public transport service, say, “We will have to step in and fill the gap to ensure that our communities are connected.”

Finally as far as local councils are concerned, I wish to raise the issue of breaks for carers. Carers across the country, and certainly in Staffordshire, perform an absolutely magnificent job. We need to ensure that they can have the breaks that they need, especially those who cannot afford them. They need to be able to get away from time to time. I welcome the fact that Staffordshire has supported such breaks and continues to do so, but the funding is too little. We need to see greater funding in this area and more innovative solutions to ensure that money is wisely spent and available to as many of our carers as need help.

Clearly, on the national scene, the debate is dominated by our leaving the European Union. I will not go into the principles on either side, but I will make points on four areas. Frictionless trade for the manufacturing industry in Stafford and the west midlands is essential. I was recently at the Honda factory in Swindon, and heard very clearly how important it is for us to have seamless trade, in and out, for components. The factory operates, as does almost all manufacturing industry in the automotive sector and others, a just-in-time policy. Such firms cannot have delays at borders.

Another critical area is data, as the Exiting the European Union Committee heard when we took evidence in the City of London. With the EU’s understandable fixation on data protection—we are, of course, putting that into our own law—the City is very concerned that we ensure that data issues are sorted out well in advance of our finally leaving at the end of 2020. It is vital that this is done, because data is at the core of not just financial services but every business.

Financial services companies have a concern about contracts that go beyond the end date of our membership of the European Union. That is a serious issue, because if we do not have the rules on contracts in place, there is a risk that contracts will not be able to be fulfilled and that people will not be paid such things as life assurance or pensions.

Sir Edward Leigh: My hon. Friend and I fought the last general election on a Conservative manifesto that stated in clear terms that we should leave the customs union. I hope that he shares my view that it is absolutely essential that we fully support the Government’s desire to leave the customs union, and that we have the right and the ability to make free trade deals with other countries.

Jeremy Lefroy: I absolutely agree that we need to be able to make free trade deals with other countries. The corollary to that is that we cannot be in the customs union, as my hon. Friend said. At the same time it is vital, as the Prime Minister has made clear, that we have frictionless trade and that our industries—not only manufacturing, but agriculture and many other industries—across the country can continue to operate without the hindrance and costs that might be caused by certain arrangements. I have every confidence that the Prime Minister and the Government will come up with the correct decision and conclusion, which may not be one that my hon. Friend and I are currently thinking of.

Ian Mearns: The manufacturing industry in the north-east of England relies heavily on frictionless trade, because so many components for Nissan vehicles, for example,
come in or go out to other plants partly assembled. There are 7,000 or so people working at Nissan, but 35,000 people in the supply chain. Without frictionless trade, many of those jobs will be in real jeopardy.

Jeremy Lefroy: The hon. Gentleman makes my point exactly. My first job after university was working in the motor industry in Bridgend for Ford, which the hon. Member for Bridgend (Mrs Moon) mentioned earlier today in the House. The hon. Gentleman is absolutely right. It is vital that the interests of those workers and millions of other workers across the country in similar positions are taken into account.

My final point is about access to the high-quality staff that this country needs at all levels. It is quite right that we will be taking back control, but taking back control does not necessarily mean having a highly restrictive immigration policy. It means having an immigration policy that is suitable for the needs of our country, but one over which we have control. Mr Deputy Speaker, thank you very much for your forbearance.

Jeremy Lefroy: My first job after university was working in the motor industry in Bridgend for Ford, which the hon. Member for Bridgend (Mrs Moon) mentioned earlier today in the House. The hon. Gentleman is absolutely right. It is vital that the interests of those workers and millions of other workers across the country in similar positions are taken into account.

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Dr Julian Lewis: Everything I have heard about the conduct of my hon. and gallant Friend, not only in Northern Ireland but in Bosnia and in other dangerous parts of the world, testifies to one single unanimous assessment: that he was an inspiration to the troops he led and that they would follow him anywhere. It is quite right that he has done so much in his time in this House to repay that admiration and to honour the trust that they rightly put in him. What concerns me is that we are not repaying the debt that we owe to servicemen, who in those days were very young who were put in an invidious position in a counter-terrorist environment in circumstances for which they had received no special training.

The Select Committee on Defence has looked into this matter in some depth, and we had an extensive debate on the subject on 25 January in Westminster Hall. I do not propose to rehearse the arguments made there. I just wish to remind the House of something that I have pledged constantly to keep reminding it of—that there will be no end to this process until the Government have the determination to bring in a statute of limitations for all terrorist-related incidents up to and including the date of the Belfast agreement. I have had many conversations with many people about this, including Sinn Féin MPs, who had their own concerns that also have some power and force to them. For them, there is the issue of many unresolved deaths for which inquests have not yet been held.

I believe that there is a basis for a comprehensive solution to that problem. People would be best able to get to the root of what happened to their loved ones if other people, on any side of this multilayered and horrible conflict, could come forward to explain to the best of their ability what they remember of those circumstances so long ago, without fear of finding themselves in a state of self-incrimination. We have the example of what happened in South Africa and the lesson taught to us by Nelson Mandela.

In the course of the Defence Committee’s inquiry into these matters, we took evidence from eminent professors of law. They said that we could not have a statute of limitations that favours only one side in a conflict, because that could be interpreted as the state legislating for its own impunity, but they emphasised that if we were to combine a statute of limitations with...
what they call a “truth recovery process” for everybody, that could indeed be entirely legitimate in the face of any form of international legal regime.

The reason for my raising this issue yet again today is my concern about one particular point. The previous Secretary of State for Northern Ireland, my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire), whom we all welcome back into the Cabinet in another capacity following his successful surgery, initiated a consultation exercise that is supposed to be going ahead. He specifically said that the option of introducing a statute of limitations on the basis I have described would be included in that consultation exercise. I do not expect the Deputy Leader of the House to be able to respond today, but I do expect him to take away my concern about the suggestions that that option may not now be included in the consultation when it eventually happens. That would be a retrograde step.

As we have seen with Brexit, we cannot always have our cake and eat it. Sometimes we have to decide whether we are going to have—in other words, keep—our cake or eat it, and we cannot put off the point of making that direct choice forever. If that is true of Brexit, it is also true of the ongoing problem of the vulnerability of our armed forces to one-sided prosecution. The Government need to grip this matter. They have an opportunity to, and I hope that they will.

1.7 pm

Karin Smyth (Bristol South) (Lab): It is a pleasure to follow the right hon. Member for New Forest East (Dr Lewis), who made a serious and important contribution.

We are here just before the recess, while our colleagues are across the country for the local elections. In the spirit of us all being here together, I would like to wish them all good luck in those elections. In the three weeks since Easter, the Government have managed to have two national scandals and a worker. In the coming years, I am happy to discuss that with the hon. Gentleman, who I know is a very eminent former Chair of the Public Accounts Committee.

My hon. Friend also talked about Workers Memorial Day. It is a very important day and we do not pay enough attention to it. One of my earliest memories as a child is of returning from the Christmas holidays and learning that a family friend had been killed by a collapsing trench on a building site, leaving a very small family and devastating the community. We have moved a long way since those days, largely thanks to the work of the trade union movement, but this is a good day on which to commemorate the people who, sadly, have died on building sites in particular.

The hon. Member for Beckenham (Bob Stewart) talked about criminal barristers. I have a number of friends of middling years or younger who are barristers, and I think he made an extremely important point about what really amounts to a crisis at the criminal Bar. The hon. Member for Gainsborough (Sir Edward Leigh) intervened to speak about legal aid, and I agree that the legal aid changes have not helped the situation. The legal aid system does a very important job and is much undervalued and under-resourced. I wish him good luck in continuing to raise that issue.

The hon. Member for Beckenham also mentioned “run, hide and tell”. I am a former emergency planner for the NHS—I will come on to my career as a lifelong bureaucrat in a moment—and I am concerned that Members are not always as cognisant as we should be about the role that emergency planning plays in this place or about our duty to ourselves, our staff and visitors, when it comes to understanding what we should do in a crisis. That is a really important point.

The hon. Member for Glasgow South West (Chris Stephens) also spoke about Workers Memorial Day, and he mentioned the Taylor review. I highlight the fact that he is quite right to raise the confusion about the public sector pay cap, and the Government really have been dancing on the head of a pin about whether there is a cap any longer. This is about the wages of real people with families to feed, and it is important for them to have clarity about what they are to expect from their employment in the coming years.

The hon. Member for Gainsborough talked about defence and its importance as an insurance policy. He mentioned the 1983 election, which is not one that Labour Members remember very fondly, although it was my first election as an activist. He also made a serious point about learning lessons from the 1930s.

I was not going to speak about my lifelong career as an NHS bureaucrat before entering Parliament—I joined the service in the late 1980s—but I cannot resist doing so. It is a service, not a religion, but I recognise that it has not always performed in the way it should have done. I praise my colleagues, particularly in NHS management, who have actually done an excellent job over many years. I am very happy to discuss that with the hon. Gentleman, who I know is a very eminent former Chair of the Public Accounts Committee.

Not everything is always done well, of course, but the NHS has made massive strides in productivity in recent years. We are now concerned about the level of funding, including in relation to safety, which was mentioned by the hon. Member for Stafford (Jeremy Lefroy). We have come a long way, and we must now be very careful that
we do not go backwards with some of that work. I want formally to praise the marvellous work done by NHS managers across the country.

The hon. Member for Gainsborough may not know this, but there is a new all-party group on clinical leadership and management. I am very proud to be a part of it, along with the hon. Member for South West Wiltshire (Dr. Murrison). I do not know whether the hon. Member for Gainsborough is interested, but we are having an interesting meeting with the lead from NHS England after the recess, and if he wants to come along, I am sure he would be most welcome. As I have said, the hon. Member for Stafford reminded us about the importance of the Francis report. Making sure that those changes happened required clinical support, but also very dedicated senior and superior management support.

I very much look forward to coming back after the recess, when, as Members may not have noticed, we will debate the Haulage Permits and Trailer Registration Bill.

Nick Smith: Before my hon. Friend moves on, may I congratulate her on her important work as an emergency planner in our national health service? Does she agree that it was our public health workers who supported our military personnel in Salisbury after the recent nerve agent attack?

Karin Smyth: I absolutely agree with my hon. Friend. In fact, one of the joys of travelling from Bristol each week is that I meet so many of my former colleagues on the train. [Interruption] Other Members have perhaps had the same experience. Indeed, I met one of my former colleagues who now works for Public Health England, and we discussed the way that it had to respond to that incident. People had just come out of a severe weather crisis in the south-west, and Public Health England is not currently well-resourced. It then had to respond quickly to an unprecedented international attack and deal with the interplay between local and national when managing that serious incident. I think that we will consider that issue in future. Public Health England now has a huge area to cover on the ground, and I know that my hon. Friend takes a particular interest in that. We could be here until 5 o’clock this evening if I were to talk about the NHS more generally, but we have elections to fight, so I will move on.

I have been working on the Haulage Permits and Trailer Registration Bill with colleagues in the Lords and the Minister, including work on trailer registration for light trailers following the tragic death of a young boy, Freddie Hussey, in my constituency in 2014. I look forward to the debates on that important Bill.

We are all looking forward to a couple of days off once we have knocked on those doors. Let me tell anyone who is coming to the west country that there are a number of festivals going on in Bristol, and I understand that a cake festival is on. I will be trudging down the M5 from Bristol with my family to enjoy a lovely weekend in Cornwall. I wish all hon. Members and staff of the House a happy May Day bank holiday weekend.

Madam Deputy Speaker (Dame Rosie Winterton): I call the Deputy Leader of the House, Paul Maynard.

1.16 pm

The Lord Commissioner of Her Majesty’s Treasury (Paul Maynard): You have promoted me inopportune, Madam Deputy Speaker. I can claim no such role, but I shall do my best.

I was struck with surprise when I learned that there was yet another pre-recess Adjournment debate so soon after the last one. We are only having one day off—how can we deserve this treat? I do not think we do. As the debate wore on, however, I noted that demand always grows to meet supply, and Members willing to speak kept creeping out of the oddest corners.

We have had a fascinating debate. It reminded me of my childhood trips to Woolworths, surveying the pick ‘n’ mix selection and not knowing quite where to begin. However, I have to start with the Chair of the Backbench Business Committee, and I pay tribute to his 27 years in local government. I cannot believe that the Conservative party ever had the temerity to oppose him on the ballot paper. Surely we gave him a free ride—I hope we did.

The hon. Gentleman raised an important case that I hope he has shared with the Department for Work and Pensions. It concerns the important matter of how we treat EU citizens in the future. We have always said that we want to provide certainty for individuals and businesses. We have been clear in our statement about EU citizens who arrive in the UK during the implementation period, and there has to be reciprocity. UK nationals who move to the EU must be treated similarly, and we are clear about that and have reached a firm agreement with the EU.

The hon. Gentleman also mentioned the importance of clarity regarding any application for any form of benefits. As a former member of the Work and Pensions Committee, I know all too well that we need a constant process of review, and the DWP must never let up reviewing its application forms. Those forms must be clear, and I know that when they are 80 pages long, their very length can put some people off applying, particularly if they lack the functional skills required to fill them in adequately. That in itself is not acceptable, and I share the hon. Gentleman’s concern to ensure that those forms are clear.

I also agree with the hon. Gentleman about Workers Memorial Day. In my time as a Rail Minister, I was conscious that Network Rail and the wider rail industry had gone for many years without any casualties on the network. The importance of maintaining that was not just a matter for those working on the railways; it had to go to the top of Network Rail and be a priority for its chief executive and for me as Rail Minister. Indeed, we always discussed that issue, because the moment we do not pay attention to health and safety is the moment when problems can start to emerge several years down the line. I welcome the hon. Gentleman’s points on that issue.

I have also been briefed on sleep-in workers, and I know that the Government are working closely with social care providers to try to find a solution to the problem. They are also working with the EU Commission, which is currently placing limitations on what the solution might eventually look like. Work is ongoing, but I hear the hon. Gentleman’s point.

I was glad to hear about the all-party group for football supporters. The hon. Gentleman will know that the Blackpool Supporters Trust is perhaps one of the more active groups, given our own travails at Blackpool.
football club. I know he has had a good season as a Newcastle United fan. I hear the point about safe standing. If I may raise a point with him, I was perturbed to read earlier in the week that the obligation to produce match day programmes might be dropped by the Football League. That would be a great tragedy for the many of us who treasure those items.

The hon. Gentleman mentioned rail in the north. He tempts me into a full hour’s response. It might help the hon. Member for Bristol South (Karin Smyth) not to go canvassing if I were to embark upon that. The hon. Gentleman mentioned the Institute for Public Policy Research figures, which come up every year. They are what they are, but they do not capture schemes that are centrally funded but delivered locally. Another aspect is how to capture spending in one region that benefits another region. I am reliant on the west coast main line. How should spending on Euston be reported? It benefits those from the north-west who seek to go to London on business, but it does not appear as investment in the north-west.

I hear the hon. Gentleman’s point about the north-east. I can assure him that it is not overlooked. I took great personal care to make sure it got the money for the new Metro trains.

Ian Mearns: I am very grateful for the funding for the Tyne and Wear Metro, but I just remind the Minister of a presentation that was given to the all-party group for rail in the north by Network Rail about two or three years ago, which showed its plans for the next five-year control period investment plan. It showed a scheme in Preston and the northern hub in Manchester. On the east side of the map there was an arrow next to York which said “To Scotland”, but there was nothing at all for the north-east of England.

Paul Maynard: I have always been very clear that northern powerhouse rail has to include Newcastle. The north does not stop at York any more than it stops at Manchester—Liverpool needs to be included, too. I look forward to visiting Gateshead for the Great Exhibition of the North.

My hon. Friend the Member for Stafford (Jeremy Lefroy) was his characteristic self. He made a number of important points on issues he has encountered in his surgery. I know the relevant Minister is working with the Bar Council on how to resolve some of those very difficult issues, and I listened with interest to the comments my hon. Friend had to make on that. He may be aware that the Adjournment debate—if we ever get to it; the Minister has been here patiently waiting for several hours now—is about the exclusion of the under-25s from the national minimum wage, so some of the comments in that debate may well appertain to that. He also made a point about the security briefings that are circulated and the issue of run, hide and tell. It is best if I personally refrain from commenting on those issues, but I think we would all want to pay tribute to those members of staff who do all they can to make us safe and keep us safe. They put their lives on the line at times, as we have seen in recent years.

The hon. Member for Glasgow South West (Chris Stephens) and I renew our acquaintance, which I am most pleased about. I would never call him a whinger! I cannot believe his Whips Office could be so rude—he is anything but.

Chris Stephens: I thank the Minister for giving way and for renewing our acquaintance. In the previous Adjournment debate I challenged him to give up Conservatism for Lent. Can he tell me how many people in England are going to give up Conservatism today?

Paul Maynard: I think the hon. Gentleman might find that we are adding to our numbers across the country as a whole. We are going to see a growth in Conservatism. He mentioned the Taylor review. Great progress is being made on implementing many of its recommendations and I am sure it is a case of “Watch this space”. He rightly spoke out on behalf of the Clyde shipbuilders who do such a fantastic job as part of our shipbuilding industry, building our Type 26 frigates and guaranteeing hundreds of jobs. He also mentioned the importance of getting immigration controls right, a theme over the past week at least. My only observation is that humanity and dignity should be at the heart of everything we do as a Government. We overlook at our peril the fact that we are dealing with individuals and their lives. We do not have to be harsh to be tough. We need to make sure we apply the rules, but that we do so with the understanding that we are dealing with people’s lives and the lives of their families.

My hon. Friend the Member for Gainsborough (Sir Edward Leigh) made a characteristically thoughtful contribution. He will join me, I am sure, in recognising the importance of meeting our NATO commitments at the very basic level, as well as ensuring that we assess the changing threat scenario. He mentioned the range of emerging scenarios. It is important that the Government keep abreast of the developing and changing scenarios and of the correct response, which might not always now be heavy artillery or heavy armour but might be in the field of IT or some other such field. He will also note the many NATO forces on the eastern flank, which many in the all-party group on the armed forces visited in Estonia back in January. I am sure also that the Policing Minister heard his powerful case when they met last week. I know there is a strong rural lobby looking to rebalance spending, and that argument will continue.

I was surprised that my hon. Friend and my hon. Friend the Member for Beckenham (Bob Stewart) was his characteristic self. He made a number of important points on issues he has encountered in his surgery. I know the relevant Minister is working with the Bar Council on how to resolve some of those very difficult issues, and I listened with interest to the comments my hon. Friend had to make on that. He may be aware that the Adjournment debate—if we ever get to it; the Minister has been here patiently waiting for several hours now—is about the exclusion of the under-25s from the national minimum wage, so some of the comments in that debate may well appertain to that. He also made a point about the security briefings that are circulated and the issue of run, hide and tell. It is best if I personally refrain from commenting on those issues, but I think we would all want to pay tribute to those members of staff who do all they can to make us safe and keep us safe. They put their lives on the line at times, as we have seen in recent years.

The hon. Member for Glasgow South West (Chris Stephens) and I renew our acquaintance, which I am most pleased about. I would never call him a whinger! I cannot believe his Whips Office could be so rude—he is anything but.
I pay tribute to everything my hon. Friend the Member for Stafford has done on the NHS in his time here. He is truly a champion for his constituents—and I do not just say that because I am standing at the Dispatch Box. He will have heard from the Prime Minister herself before the Liaison Committee a commitment to developing a longer-term funding settlement for the NHS. It is right that we do that and in a way that, I hope, can draw on cross-party support. The most effective and important social changes in our country are always underpinned by cross-party support, and I hope that that will be the case here. I know he is working hard with General Electric to deal with its issues in Stafford, and he might also be aware that we passed the Bus Services Act 2017 shortly before the last election. That Act is designed to help local councils apply greater granularity to local bus services.

My hon. Friend also mentioned carers’ breaks, which is an issue close to my heart for two reasons: first, because the first Delegated Legislation Committee I ever sat on was about putting in place those provisions—of course, they were not ring-fenced at the time, hence it is at the discretion of local councils—and secondly, because I know how important it is from the work done in my own constituency by Blackpool carers centre. Avid fans of “DIY SOS” might have seen that centre being renovated on a special a few months ago. The importance of carers’ breaks is underestimated. These people do what they do out of love, not a desire for financial recompense, and they need a respite break now and again to recharge their batteries. The importance of carers’ breaks cannot be overestimated.

My hon. Friend mentioned frictionless trade and the Prime Minister’s commitments. I have no doubt that he will have many more opportunities to discuss such matters in the weeks and months to come. As a former Rail Minister, I dealt with Brexit in relation to the channel tunnel, and that demonstrated to me the importance of our “just in time” delivery network to keeping our automotive sector running, to which the channel tunnel is critical, so his point was well made.

The final colleague to participate was my right hon. Friend the Member for New Forest East (Dr Lewis). I pay tribute to his noble campaigning down the years on nuclear defence—he is truly a legend.

My right hon. Friend will not be surprised to hear that we have always been clear that as part of our work to implement the Stormont House agreement, we will seek to ensure that the new legacy bodies are under legal obligations to be fair, balanced and proportionate. The current process is not working for anyone, including victims and survivors. We want to reform it so that there is no prioritising of deaths caused by the security forces. At the same time, we want to ensure that our veterans, the overwhelming majority of whom served with great distinction in Northern Ireland, including my hon. and gallant Friend the Member for Beckenham, are not unfairly treated or disproportionately investigated. I have noted my right hon. Friend’s specific query and will make sure that my officials bring it to the attention of the relevant Department.

Finally, I thank the hon. Member for Bristol South (Karin Smyth), the shadow Deputy Leader of the House. It must be an odd position to hold, given that there is no one to shadow; none the less, she performs her role with great distinction as she chases shadows around the Chamber. I pay tribute to her involvement in the NHS, and I am sure that that brings great insight into what occurs. From a personal point of view, I have great fondness for all our four Bristol MPs for different reasons, and I think the Public Accounts Committee is much poorer for not having her on it. She is almost wasted in her non-role of shadowing no one at all, but she brings distinction wherever she goes.

The hon. Lady thinks that May day might be a distress signal—far from it, I think that May day should be a celebration for all around the country and a well-deserved day off. On that note, I observe more widely to colleagues that while the south-west may be one alternative, where else would someone go on a May Day bank holiday than the prom at Blackpool? I would be appalled if anyone went anywhere else.

Question put and agreed to.

Resolved,

That this House has considered matters to be raised before the May adjournment.
National Living Wage: Under-25s

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

1.30 pm

David Linden (Glasgow East) (SNP): I hope that you have made yourself comfortable for my four-hour speech, Madam Deputy Speaker, as I intend to take us up to half past 5. I can see some people panicking. They should not worry—I will not do that.

I am very grateful for the opportunity to raise the UK Government’s disappointing decision to exclude under-25s from the national living wage. Before I do so, however, it is important at the outset to make a clear distinction between the UK Government’s so-called living wage and the real living wage. The fact is that the UK Government’s living wage is a con trick, and at just £7.83 an hour, their con trick living wage falls desperately short of the real living wage, as set by the Living Wage Foundation.

The Living Wage Foundation takes into account the cost of living and other factors and recommends that living wage employers pay a minimum of £8.75 an hour, or, for London, £10.20 an hour—so straightaway we have an issue whereby the Government’s so-called living wage is not actually a living wage. However, the real issue I want to press the Minister on relates to the UK Government’s disappointing decision to exclude under-25s from the national living wage.

Chris Stephens (Glasgow South West) (SNP): Does my hon. Friend not find it ironic that if there were local elections in Scotland today, someone aged 16 could vote in them, yet they would not qualify for the adult rate of the national minimum wage?

David Linden: Indeed. My hon. Friend tempts me down the route of talking about taxation without representation. Perhaps we can return to that in the next four hours, but I shall press on with my speech for the time being.

At the moment under UK law, the only safety net that someone under 25 has is the national minimum wage. That means that if they are aged between 21 and 24, they can be paid just £7.30 an hour. Someone aged between 18 and 20 can be paid just £5.90 an hour, and someone aged under 18 can be paid just £4.20 an hour. Even worse, an apprentice can earn as little as just £3.70 an hour. I will return to the issue of apprenticeships later.

The Government and no doubt the Minister will be at great pains to tell us today that the reason wages are lower for under-25s is that they want more jobs to be created. They say that lower wages reduce youth unemployment, but I would argue that the economic evidence does not back that up. When we drill down into the research, we see that only two countries in the European Union have separate minimum rates of pay for over-25s. One, of course, is the United Kingdom, and the other is Greece, where youth unemployment is at 40%.

The Government like to say that the UK has hit record levels of employment and that they are doing good work to tackle youth unemployment. However, I want to convince the Minister today that the UK Government should take a different path and instead follow the lead of the Scottish National party Scottish Government. Our fair work agenda is not just warm words; it is concrete action to lift people out of poverty and into prosperity.

First, the SNP Scottish Government are a living wage employer and pay their staff a real living wage of at least £8.75 per hour. Secondly, we have the Scottish business pledge, which has attracted support from hundreds of companies that have signed up to nine key principles, which include paying a real living wage, not using zero-hour contracts and investing in youth. I want to focus particularly on that third principle of investing in youth.

At 16 years old, I decided to leave high school and begin my working life. I never went to college or university but instead undertook an apprenticeship with Glasgow City Council. Ten years on from completing that apprenticeship, I am immensely proud to have been elected as an MP, providing a voice again for my home community. However, one thing that I am not willing to do is come here and simply pull the ladder up behind me. Pay equality matters to me, not just because I am a young MP and a former apprentice, but because I believe, with every fibre of my being, that work is the best route out of poverty. The Prime Minister has said the same herself. She says that she wants to build a country that works for everyone. I presume that by “everyone”, she means people under the age of 25. That is why the Government must take action urgently to ensure that people are paid the real national living wage, regardless of their age.

The UK’s Equality Act 2010 rightly provides for a number of key protected characteristics. It prohibits discrimination on the grounds of gender, race, sexual orientation or disability. How, therefore, can we be in this ludicrous position in which people under 25 are paid less simply for being a particular age? We would not say that someone should be paid less because that person was a woman; we would not say someone should be paid less because that person was black; we would not say that someone should be paid less because that person was gay; and we certainly would not say that someone should be paid less because that person was disabled. The UK Government, however, operates a system under which employers are actively encouraged to pay under-25s less because they are younger.

Chris Stephens: Is it not another economic fact that those under 25 often face the same costs as those over 25—for example, rent or other housing costs, food costs, utility bills and the like?

David Linden: My hon. Friend has made a powerful and valid point, which I shall come to later.

I hope very much that when the Minister comes to the Dispatch Box, he will not trot out the usual lines, which fall apart when subjected to any scrutiny. Let me deal with one or two of them now. For example, Ministers tell us that younger workers have less experience and should therefore receive less pay. Unfortunately, younger workers do not get a discount on their shopping, fuel or rent when it comes to paying their bills. One area in which young people do qualify for help is housing benefit, but only after a recent scurrying U-turn from the Government on their abhorrent policy of excluding 18 to 21 year-olds.
The discriminatory exclusion of under-25s from the national living wage takes no account of how people actually live. For example, by the time I was 25—which was actually not that long ago—I had already been married for three years. I owned a house, and I was a father. I urge Ministers to look at the actual data rather than rehashing old arguments, and to consider the economic case for including under-25s in the national living wage.

Kirsty Blackman (Aberdeen North) (SNP): The point that my hon. Friend is making about experience is very important. When I was 18 I started work in a pub on the same day as someone who was 25. Neither of us had worked in a pub before, so we had exactly the same level of experience, but the 25-year-old was eligible for the 25-year-old’s minimum wage, while I was paid the 18-year-old’s minimum wage. Does my hon. Friend agree that that was just unfair?

David Linden: Absolutely. That is what drives the Scottish National party’s fair work agenda. It is about fairness, and about lifting people out of poverty. I thank my hon. Friend for her powerful intervention.

Chris Stephens: The example given by my hon. Friend the Member for Aberdeen North (Kirsty Blackman) was indeed powerful. Is this not another powerful example? If a 17-year-old is working in a fast-food restaurant flipping hamburgers next to someone who is 37 and doing the same job, there is a massive disparity between their wage rates.

David Linden: My hon. Friend is absolutely right. What he has said takes us back to the central point that a fair day’s work should result in a fair day’s pay.

If the Minister looks at the data, he will see that 2.5 million young people do not live with their parents. That is 2.5 million young people paying for shopping, rent and utilities. Statistics from the Office for National Statistics show that approximately 20% of mothers are under the age of 25. The discriminatory exclusion from the national living wage means that they must get by on poverty pay.

The current national minimum wage—and we should bear in mind that that legislation was passed in the last century—is not only a clear example of direct age discrimination, but an example of discrimination based on class. It flies in the face of the very concept of social mobility. How can a 22-year-old first-year apprentice on a miserable £3.70 an hour be socially mobile? That is what the law currently allows, as is stated on the UK Government’s website. That is what an employer who is thinking about employing an apprentice is encouraged to do.

A recent report by KPMG showed that one in five people are struggling to escape from low pay. For example, one in four women earns less than the real living wage. Put simply, that means skipping meals, living in debt and using payday loans just to get by. The fact is that there is a solid evidence base out there that makes the case for equal pay for under-25s.

Kirsty Blackman: Does my hon. Friend agree that there could be a positive impact on productivity? If people are having to work extra jobs and cannot afford to eat, they will be less productive, but if they were paid a living wage, they would do better work for their employers as a result.

David Linden: My hon. Friend makes a powerful point. If an employer pays someone under 25 the real living wage, that sends a message of real encouragement to the employee; there is clearly a productivity point here.

I commend and thank the Young Women’s Trust, which produced an excellent report last year entitled “Paid Less, Worth Less?” I have placed a copy of the report in the Library of the House this afternoon, and its testimonies make pretty stark reading. I will share just one today. It comes from Katie, a 19-year-old from Newcastle:

“I was a customer service apprentice in a small shop—only me, another apprentice and my manager worked there.

I had to do a lot—serve customers on the till, clean the store, display the products, update the online store, pack and post online orders and more.

I was paid £2.73 per hour, which went up to £3.30. I got paid on a Friday at the end of the month. The next week I was skint.

I remember one day I had 40p for dinner, so I got one doughnut from M&S.

My manager noticed and offered to buy me a McDonald’s.

I felt so stupid.

A quarter of my monthly income was spent on bus fare getting to and from work. It was a struggle.”

It is sometimes easier for us in this House to focus on statistics rather than people, but Katie’s story succinctly and eloquently outlines the pay inequality that still exists in the UK in 2018.

Katie is not the only one. Only last week, following an oral question from me in this House, the Chancellor wrote to inform me that there are approximately 22,000 apprentices in the UK being paid just £3.70 an hour. Surely no self-respecting Minister thinks £3.70 is a decent hourly rate; I do not think any of us would be happy to turn up here and get paid just £3.70 an hour.

There are also particular sectors in the employment market where deliberate wage depression is a major issue and could have a major impact on the sustainability of business, particularly when free movement of people is restricted post Brexit. These sectors include retail and hospitality, which are often largely staffed by young people.

I would hope that the Minister would distance himself from the comments made by the Secretary of State for Digital, Culture, Media & Sport who back in January 2016 said younger workers would not get a pay rise because they are “not as productive” as older workers. It would take a particularly brave Minister to repeat that, especially on an election day.

Finally, the Minister might be worried about how businesses would react to under-25s being included in the national living wage. However, let me assure him that there is clear polling evidence from YouGov, on a sample of 4,000 HR managers; they think that young people should be paid the same as older people for work. Some 79%—that is four in five—of employers think there should be equal pay regardless of age, as do 77% of small and medium-sized organisations. Some 80% of employers also said that young people make
[David Linden]

a bigger, or the same, contribution as older workers, and that on the whole younger workers came with a fresh perspective and injected some energy.

Most employers when asked said they would not cut back on hiring young people if the national living wage was extended to under-25s. Indeed, the New Policy Institute found in a report commissioned by Unison on the topic that, historically, raising wages for people under the age of 21 in the UK has not harmed their employment outcomes. So the evidence is clear and so is my message to the Government today.

Chris Stephens: Does my hon. Friend agree that the policy is a false economy, too, because if those under 25 were given the real national minimum wage rate, that would boost the economy as it would boost the spending power of those aged under 25?

David Linden: My hon. Friend is right: giving under-25s that spending power would boost the economy and could help kick-start the economy.

Kirsty Blackman: As an employer, I have taken on a number of young people on internships, and I have paid the real living wage, not the Government’s pretend living wage, regardless of their age. I found that they made a very valuable contribution to my office and a real positive difference. Has my hon. Friend got experience of doing similar?

David Linden: I am grateful to my hon. Friend for leading me down that particular path, which I had not quite thought of. She will be aware, as will my hon. Friend the Member for Glasgow South West (Chris Stephens), that I am going through the process of recruiting for the first ever John Heseltine intern—a young person will come to work in my office. I believe passionately that if we are to get more people into politics, we need to open up that process; it cannot just be the same people taking on political interns. When I started the process of advertising for that internship, I was conscious of the need to advertise it at the real national living wage. Last week, I set up seven or eight interviews, and I am sorry to have to tell the House that one of the young guys I was due to interview had sadly passed away. I want to take this opportunity to pay tribute to Scott, who is no longer with us.

The evidence is clear for equalising the national minimum wage to include the under-25s, and my message to the Government is also clear: if we want to build a country that works for everyone, we need to end this discriminatory pay inequality. The Government need to pay a real national living wage, and they need to pay it to the under-25s too.

The evidence is clear for equalising the national minimum wage to include the under-25s, and my message to the Government is also clear: if we want to build a country that works for everyone, we need to end this discriminatory pay inequality. The Government need to pay a real national living wage, and they need to pay it to the under-25s too.

1.45 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): It is a great honour and privilege to respond to this debate, and I congratulate the hon. Member for Glasgow East (David Linden) on securing it. I am pleased to be able to contribute to it as the Minister responsible for the national minimum wage and for the national living wage, of which the Government are hugely proud. There have been age-specific minimum wage rates in one form or another since the national minimum wage was introduced by the Labour Government in 1999, and lower pay rates have always been in place for younger workers because the priority for them is to secure work and gain experience. A higher minimum wage for young people could adversely affect employment levels for that group by dissuading employers from taking on less experienced workers.

It was remarkable that, in the 17 or so minutes for which the hon. Gentleman spoke on this issue, he failed to mention the facts—the actual unemployment rates among young people—even once, so let me bring them to his attention. Unemployment is higher among young workers than among older workers. Specifically, between December last year and February 2018, unemployment among those aged 25 and over was at a record low of 3%, yet among 18 to 24-year-olds the unemployment rate was 10.3%, and more than one in four 16 and 17-year-olds are unemployed. The hon. Gentleman says that we should focus on individuals rather than on statistics, but those statistics clearly show the impact that his policy would have on those young people’s ability to get into work.

Chris Stephens: The Minister highlights the UK Government’s appalling record on youth employment. Can he explain to me—we have asked this question repeatedly—why the Conservative Government took the decision to introduce an additional age tier to the national minimum wage rates, and why the age of 25 was picked?

Andrew Griffiths: The Government have always listened to the expert advice. In particular, we listen to the Low Pay Commission, which is made up of employers, academics and experts in the field and trade union representatives and is specifically devoted to protecting the rights of workers, including young workers. It is the commission that says that this policy is right and that sets the lower rates after considering all the facts.

Kirsty Blackman: The Minister has laid the stats before us, saying that the unemployment rate is 3% for over-25s and over 10% for under-25s. Does he not agree that that shows that the system he is presiding over is broken, and that something needs to be done to fix it?

Andrew Griffiths: No, I think it shows two things. It shows that the hon. Lady does not understand the labour market, and it shows the difficulties that young people have in demonstrating that they have the necessary skills, in gaining the necessary experience and in convincing employers to take a risk in taking them on and giving them an opportunity.

The hon. Member for Glasgow South West talked about our record in relation to unemployment. I will just remind the House that we are seeing record levels of employment in this country, and that unemployment rates are lower than we have seen for 40 years, so I will take no lessons from him.

Several hon. Members rose—
Andrew Griffiths: I think I have given way quite enough, so I will make a little progress. Forgive me, but I am sure that Members will have an opportunity to come in shortly.

Academic evidence shows that the youth labour market is much more sensitive to economic shocks than the labour market in general, and that young people can be exposed to longer-term scarring effects from prolonged spells of worklessness than others. As I said, the independent Low Pay Commission backs up that research. Its 2015 report, which I urge the hon. Member for Glasgow East to educate himself with, cites New Zealand research that found a 3% to 6% fall in the employment rate for 16 to 17-year-olds two years after a 28% increase in the real value of their minimum wage. The hon. Gentleman talked about fairness, but there is nothing fair about making it harder for young people to get on the jobs ladder.

David Linden: The Minister will remember that I referred to Katie, a young girl who was struggling to get the bus fare to go to work. How does that tie in with what he says? She is struggling to get to work; she does not have the pay to get to her job. Is that part of the reason why young people cannot get into work?

Andrew Griffiths: I recognise the hon. Gentleman’s point, but it would be even more difficult for Katie were she not to have a job. That opportunity, that experience, that foot in the labour market is hugely important. The hon. Gentleman would deny Katie the opportunity to get vital work experience and make her way in the jobs market.

We are rightly more cautious about young people when setting the pay floor, and a lower minimum wage for younger workers is in keeping with international comparators. The hon. Gentleman referred to two countries, but let me clarify something and educate him a bit. Just under two thirds of OECD countries that have a statutory minimum wage have special rates for young people. Minimum wages are adjusted for young workers in France, Ireland, Belgium and Luxembourg, among many others. He may want to look into that.

Pricing young people out of the labour market by setting their minimum wage too high would be detrimental to the workers whom the policy was intended to benefit. Indeed, in April last year, 88% of 16 and 17-year-olds, 90% of 18 to 20-year-olds and 92% of 21 to 24-year-olds were paid above their age-applicable minimum wage. Those are the facts, whether the hon. Gentleman likes them or not. As a matter of fact, 86% of 21 to 24-year-olds were paid at or above £7.50 an hour, which was the national living wage for the over-25s.

Chris Stephens: The Minister is doing his best to do a pantomime villain routine, but he seems to be confusing himself. Will he clarify whether he is suggesting that under-25s are better off working in the public sector? Will he confirm that in his Department the under-25s get the same rates of pay as the over-25s?

Andrew Griffiths: I will confirm to the hon. Gentleman that not once in this debate has the Scottish National party mentioned the impact that such a change would have on businesses.

Several hon. Members rose—

Andrew Griffiths: I have given way plenty enough; we will move on.

The Government have increased the national minimum wage for young people to record levels. As I am sure the hon. Member for Glasgow East is aware, last month the Government gave the lowest-paid workers an above-inflation pay rise, as the national living wage and all the national minimum wage rates increased in real terms. The national living wage increased by 33p, to £7.83, meaning that a full-time worker on the national living wage will see their annual earnings rise by more than £600. Following increases to the personal allowance threshold and the minimum wage, a full-time worker earning the national living wage will be taking home over £3,800 a year more after tax. That is something this Government have delivered and are incredibly proud of.

Kirsty Blackman: Will the Minister give way?

Andrew Griffiths: I think I have given way enough.

The national living wage will rise further to reach 60% of median earnings in 2020, subject to sustained economic growth. We have awarded younger workers in receipt of the national minimum wage the biggest hourly pay rise in more than a decade. In particular, 20 to 24-year-olds saw a 33p increase in their hourly rate to £7.38, meaning a full-time worker in that age group will see their earnings rise by £600 a year, like those aged 25 and over in receipt of the national living wage. Those aged 18 to 20 saw an annual increase of 5.4% to £5.90, and those aged 16 and 17 are now entitled to a minimum of £4.20 an hour, an annual increase of 3.7%. Finally, apprentices aged under 19, or those aged 19 and over in the first year of their apprenticeship, saw an increase of 5.7%, the largest annual increase of all the hourly rates. In total, we believe that more than 2 million workers, 400,000 of whom are young workers under 25, have directly benefited from the latest increases in the national minimum wage.

David Linden: Will the Minister give way?

Andrew Griffiths: For the last time.

David Linden: My previous dealings with the Minister were in Committee on the Parental Bereavement (Leave and Pay) Bill, and I came into the Chamber today with a due amount of respect for him. The patronising tone he has taken in this debate demeans his office, and I hope he will reflect on that afterwards.

Andrew Griffiths rose—

David Linden: The Minister should have a wee seat, because I am not finished.

Will the Minister put it on record that a 21-year-old first-year apprentice can still be paid just £3.70 an hour? Would he be happy being paid £3.70 an hour?

Andrew Griffiths: I spend a lot of time talking to apprentices, and I see the vast contribution that apprenticeships make to those young people. Apprenticeships provide them with the opportunity to earn and learn, to gain
vital experience and to have on-the-job training while following a vocation. That is hugely important. I have spoken to apprentices, and they value the apprenticeship scheme. They are building their careers thanks to it.

Raising the national minimum wage forms part of our long-term industrial strategy to boost productivity and to create good jobs and greater earning power for all parts of the United Kingdom. That is absolutely central to creating an economy that is fair and that works for young people.

All the increases were recommended by the independent Low Pay Commission, in line with the annual remit issued by the Government. The world-renowned LPC brings together business and worker representatives to form a consensus on the appropriate minimum wage rates. As ever, I thank the LPC for the extensive research, consultation and analysis it undertakes throughout the year to inform its recommendations.

Previous LPC reports discussed various pieces of research showing that higher youth wage rates can have a negative impact on employment rates. Consequently, in the annual remit, the Government asked the LPC to recommend the highest increase in national minimum wage rates that were possible without damaging the employment prospects of low-paid young workers by setting them too high. The Government will continue to take the LPC’s advice when setting all the wage floors in order to ensure that minimum wage rises are balanced between rewarding workers and ensuring that they are not priced out of employment. We are not complacent, and that is why I am pleased that the LPC will conduct a review of whether the current structure of the youth rates best supports our aim. I look forward to the LPC’s advice on the matter in spring 2019.

I recognise the hon. Gentleman’s concerns about young people, but the Government are committed to supporting them. Specifically, the Department for Education is reforming technical education by introducing T-levels to equip young people with the relevant skills to reach their potential, and the Department for Work and Pensions has launched the youth obligation support programme for 18 to 21-year-olds who are making a new claim for universal credit. The programme provides valuable intensive support to help people move into work. The DWP announced at the end of March that all 18 to 21-year-olds in receipt of universal credit will be entitled to claim support for housing costs, and that change is currently in the process of being implemented.

This Government are committed to building an economy that works for everyone, including young people. By having a lower national minimum wage for under-25s we are protecting young workers, to help them gain crucial experience, as well as supporting their transition and progression from education into the jobs market. Getting on to that all-important first rung on the jobs ladder has to be the priority. The independent Low Pay Commission will continue to make recommendations on the national minimum wage, and I look forward to its advice in spring 2019 on whether the current structure of the youth rates best supports the youth labour market. This Government have the economy, the country and the interests of young people at their heart.

David Linden: On a point of order, Madam Deputy Speaker. During his speech, the Minister perhaps inadvertently misled the House by saying that France has different pay levels for young people. What opportunities are available for him to correct that, as I believe it is not actually true?

Madam Deputy Speaker (Dame Rosie Winterton): I am sure that if the Minister felt he had inadvertently misled the House by saying that France has different pay levels for young people, What opportunities are available for him to correct that, as I believe it is not actually true?

Question put and agreed to.

2 pm

House adjourned.
House of Commons

Tuesday 8 May 2018

The House met at half-past Two o’clock

PRAYERS

[Mr Speaker in the Chair]

Oral Answers to Questions

HEALTH AND SOCIAL CARE

The Secretary of State was asked—

Access to Social Care

1. Mike Gapes (Ilford South) (Lab/Co-op): What steps he is taking to improve access to social care for people living with unmet social care needs. [905157]

The Secretary of State for Health and Social Care (Mr Jeremy Hunt): The health and social care systems are inextricably linked, which is why we need to improve access to the social care system, and we will be setting out plans to do so in a Green Paper.

Mike Gapes: Age UK says that 1.2 million older people have unmet social care needs. Is it not time that we thought about integration in a practical way, and where we have acute hospitals with land next to them, such as King George Hospital in my constituency, we start to build sheltered accommodation or intermediate care on those sites so that people can easily be transferred into and out of the beds, freeing them up for other people who need them?

Mr Hunt: That is a wise suggestion, and it is exactly the direction of our thinking in the social care Green Paper, which will have a significant chapter on housing. Integration is not just about integrating health and social care; it is also about other services offered by local authorities. I commend, too, the hon. Gentleman’s local authority of Redbridge: it is No. 1 in the country for user satisfaction with the social care system and No. 4 for carer satisfaction.

Dr Sarah Wollaston (Totnes) (Con): One of the most pressing issues for those who depend on social care is resolution of the back-pay issue for sleep-in shifts. Will the Secretary of State update the House with his own estimate of the liability? The independent sector puts the liability collectively at around £400 million. Will he also update us on the progress being made, because he will know that many sectors are hanging back their contracts and withdrawing?

Mr Hunt: I thank my hon. Friend for raising this serious issue, and I can reassure her that a lot of work has been going on inside the Government to work out how to resolve the issue. A court case is due that may have a material impact on those numbers, but we are continuing to work very hard and fully understand the fragility of the current market situation.

Laura Smith (Crewe and Nantwich) (Lab): In December, the health survey for England revealed that older people in more deprived areas are twice as likely as average to have unmet social care needs. Is this not yet another example of Tory cuts reducing councils’ abilities to meet the requirements of people with care needs?

Mr Hunt: I welcome the question, but let me also gently tell the hon. Lady what the actual story is with respect to cuts. Yes, the social care budget was cut after the 2008 financial recession, but she may remember that a different party was in power when that happened. Under this Prime Minister, those cuts have been reversed and the social care budget is going up by £9.4 billion in this spending review period.

Julia Lopez (Hornchurch and Upminster) (Con): Inadequate social and primary care provision lies at the root of a great deal of pressure on hospital A&Es, so we need to plan much better for the demand for services at that level. Will the Secretary of State press the Treasury to ensure that receipts from NHS property transactions are retained by local healthcare trusts, so that they can build much larger primary care facilities than those currently planned?

Mr Hunt: My hon. Friend makes an important point: unless we make it easier for trusts to retain the receipts of property transactions, they will be likely to sit on these properties and we will not get the positive ideas such as that suggested earlier by the hon. Member for Ilford South (Mike Gapes), so we do need to find a way to make sure that local areas benefit when they do these deals.

Barbara Keeley (Worsley and Eccles South) (Lab): The Alzheimer’s Society estimates that at least 10,000 people with dementia have been stuck in hospital in the last year despite being ready to leave, and many of the delays were caused by a lack of care in the community for them. There can be no more disorientating thing for a person with dementia than being stuck in hospital when they do not need to be there. So with dementia awareness week approaching, is it not time for the Secretary of State to meet the social care needs of people with dementia fully by meeting the funding gap for social care in this Parliament?

Mr Hunt: Let me explain what is happening on that front. In the first five years after 2010, social care funding went down by 1.3% a year—we had a terrible financial crisis that we were trying to deal with—but since then, in the current spending review period, it is going up by 2.2% a year, which is an 8% real-terms increase over this spending review period. I completely agree with the hon. Lady that we need to do a much better job. [ Interruption. ] Opposition Members talk from a sedentary position about priorities; our priority has been to get this economy on its feet so that we can put more money into the NHS and social care system, and that is what will continue to happen under a Conservative Government.
Supporting People with Mental Health Problems

2. Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): What role his Department has in supporting people with mental health problems to access help in relation to housing, debt and employment. [R]

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): The Department is working with the NHS and across the Government to increase the support available for people with mental illness and on related issues. This includes investing £39 million to double the number of employment advisers in IAPT—increasing access to psychological therapy—as well as reviewing the practice of GPs charging for evidence of patients in debt crisis and the introduction of a duty under the Homelessness Reduction Act 2017 for the NHS to refer people at risk of homelessness to the local authority.

Dr Cameron: A quarter of people experiencing mental health problems are also in problem debt, and eight out of 10 mental health practitioners surveyed have said that they have less time to deliver clinical care because they are being asked to assist with the task of writing up debt management plans. Does the Minister agree that to ensure the best chance of recovery, commissioning groups require to integrate advice alongside mental health care, particularly for those in problem debt?

Jackie Doyle-Price: The hon. Lady makes a sensible point. Of course it is true that people’s personal circumstances are a symptom and a cause of mental ill health. We are doing more to enable those delivering mental health services to signpost people with problem debt to appropriate services. Clearly, that becomes easier where those services are co-located with citizens advice bureaux. In addition, the Breathing Space programme aims to provide a break for people with debt. I recognise, however, that this is a serious problem and that debt problems will cause mental illness.

Andrew Bridgen (North West Leicestershire) (Con): Does the Minister agree that, when children and young people have mental health challenges, it is important wherever possible to engage with their families to help them to overcome them?

Jackie Doyle-Price: What my hon. Friend says is self-evidently true. We are putting in more help in schools through the Green Paper, but we also need to ensure that we are engaged with families much earlier than that. We have the health visitor programme, and those visits help to build relationships with parents. We have also taken action on specific issues, including the initiative relating to the children of alcoholics. We will continue to focus support where it is needed.

Several hon. Members rose—

Mr Speaker: Order. It is very good to welcome back to the Chamber the right hon. Member for Leicester East (Keith Vaz).

National Diabetes Audit: Mental Health

3. Keith Vaz (Leicester East) (Lab): Whether he plans to include information on mental health in the national diabetes audit.

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): People with long-term health conditions such as diabetes are at a higher risk of mental health disorders, and we are determined to improve co-ordination between services. That is why the national diabetes audit has started collecting information from GP practices on people who have both diabetes and severe mental ill health.

Keith Vaz: I should like to declare my interest. As the Minister knows, three out of five people with diabetes suffer from emotional and psychological problems, including depression and anxiety. A survey recently showed that 76% of diabetics were offered no emotional or mental health support. Will she look at the excellent work that is being done by the NHS in Grampian in Scotland, to see whether its programme could be rolled out for the rest of the country?

Jackie Doyle-Price: I would be delighted to look at the progress being made in Grampian, and we are always keen to learn from the experiences of other nations. The right hon. Gentleman makes an excellent point: people with long-term physical conditions are more likely to suffer from mental ill health. As for NHS spending, at least £1 in every eight that is spent on long-term conditions is linked to poor mental health and wellbeing spend. We have also produced a pathway for people with long-term physical health conditions to deliver more effective IAPT—increasing access to psychological therapy—services for them. However, we can always continue to learn about this subject.
Andrew Selous (South West Bedfordshire) (Con): Obese adults are seven times more likely to have type 2 diabetes and the associated mental health problems that go with it. Is my hon. Friend that 140,000 obese children would qualify for adult tier 4 bariatric surgery, but there is little available? Should the NHS be fortunate enough to get some well-deserved extra money for its 70th anniversary, may I put in a bid for that area to be considered?

Jackie Doyle-Price: My hon. Friend is right that once children become obese they are going to become obese adults, with all the health problems that come with that. I do not want to steal the thunder of the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Winchester (Steve Brine), but rest assured that we will examine what more we can do to tackle obesity in children.

Jim Shannon (Strangford) (DUP): I declare an interest as a type 2 diabetic. Bearing in mind that three out of five people with diabetes have mental health issues, will the Minister outline what support services GPs should be able to offer at the first diagnosis of diabetes? Early diagnosis is key.

Jackie Doyle-Price: I could not agree more. We need GPs to understand that they must consider a patient’s needs as a whole, not just the condition that is presented at the time, and that message has been sitting behind the guidance that we have been issuing to GPs on how they manage patients with long-term health conditions.

NHS Bursaries

4. Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): What assessment he has made of the effect of the withdrawal of NHS bursaries on applications for nursing degrees.

Stella Creasy (Walthamstow) (Lab/Co-op): What assessment he has made of the effect of the withdrawal of NHS bursaries on applications for nursing degrees.

Grahame Morris (Easington) (Lab): What assessment he has made of the effect of the withdrawal of NHS bursaries on applications for nursing degrees.

The Minister for Health (Stephen Barclay): Nursing remains a strong career choice, with more than 22,500 students placed during the 2017 UCAS application cycle. Demand for nursing places continues to outstrip the available training places.

Gill Furniss: Figures from the Royal College of Nursing show that applications have fallen by 33% since the withdrawal of bursaries. At the same time, the Government’s Brexit shambles has led to a drastic decline in EU nursing applications. How many years of such decline do we have to see before the Secretary of State and the Minister will intervene?

Stephen Barclay: What matters is not the number of rejected applicants, but the increase in places—the number of people actually training to be a nurse. The reality is that 5,000 more nurses will be training each year up to 2020 as a result of the changes.

Stella Creasy: The NHS already has 34,000 nursing vacancies. Given that there has been a 97% drop in nursing applications from the EU and that studies show that nearly half of all hospital shifts include agency nurses, will the Minister at least admit that cutting the bursary scheme has been a false economy for our NHS?

Stephen Barclay: It is not a false economy to increase the supply of nurses, which is what the changes have done. Indeed, they form part of a wider package of measures, including “Agenda for Change”, pay rises and the return to practice scheme, which has seen 4,355 starters returning to the profession. More and more nurses are being trained, which is why we now have over 13,000 more nurses than in 2010.

Grahame Morris: I respectfully remind the Minister that this is about recruitment and retention. The RCN says that we can train a postgraduate nurse within 18 months, which is a significant untapped resource, so why are the Government planning to withdraw support from postgraduate nurses training, too?

Stephen Barclay: We have a debate involving postgraduate nursing tomorrow, but the intention is to increase the number of such nurses by removing the current cap, which means that many who want to apply for postgraduate courses cannot find the clinical places to do so. That is the nature of tomorrow’s debate, and I look forward to seeing the hon. Gentleman in the Chamber.

Robert Halfon (Harlow) (Con): Will my hon. Friend, on top of the degree nursing apprenticeships, rapidly increase the nursing apprenticeship programme so nurses can earn while they learn, have no debt and get a skill that they and our country need?

Stephen Barclay: My right hon. Friend is absolutely right to signpost this as one of a suite of ways to increase the number of nurses in the profession. As he alludes to, there will be 5,000 nursing apprenticeships this year, and we are expanding the programme, with 7,500 starting next year.

Alex Chalk (Cheltenham) (Con): This weekend, I had to take a poorly member of my family to Cheltenham General Hospital, and the skill, concern and good humour of the emergency nurse practitioners were fantastic. Will my hon. Friend join me in paying tribute to Cheltenham’s emergency nurse practitioners? Does he agree that we should be doing everything possible, through their pay scales, to reward and retain them?

Stephen Barclay: I am very happy to join my hon. Friend in paying tribute to the nurses at Cheltenham, and elsewhere, for the work they do. As he says, that is exactly why this Government, with the support of the Treasury, have backed nurses with a big pay rise in the “Agenda for Change” programme.

Stephen Lloyd (Eastbourne) (LD): With every reputable independent body showing very clearly that we have a staffing crisis in the NHS nursing profession, can the Minister explain how cutting bursaries actually improves the situation?
Stephen Barclay: I am very happy to do so. We are removing the cap on the number of places covered by the bursary, and increasing the number of student places by 25%, which means that there will be 5,000 more nurses in training as a result of these changes.

Dr Philippa Whitford (Central Ayrshire) (SNP): The Secretary of State’s removal of the nursing bursary and introduction of tuition fees have resulted in a 33% drop in applications in England. In Scotland, we have kept the bursary, a carer’s allowance and free tuition, which means that student nurses are up to £18,000 a year better off, and indeed they also earn more once they graduate. Does the Minister recognise that that is why applications in Scotland have remained stable while in England they have dropped by a third?

Stephen Barclay: The hon. Lady speaks with great authority on health matters, but, again, she misses the distinction between the number of applicants and the number of nurses in training. It is about how many places are available, and we are increasing by 25% the number of nurses in training. That is what will address the supply and address some of the vacancies in the profession.

Dr Whitford: Workforce is a challenge for all four national health services across the UK, but, according to NHS Improvement, there are 36,000 nursing vacancies in England, more than twice the rate in Scotland. The Minister claims that more nurse students are training, but in fact there were 700 fewer in training in England last year, compared with an 8% increase in Scotland. The key difference is that in Scotland we are supporting the finances of student nurses, so will the Government accept that removing the nursing bursary was a mistake and reintroduce it?

Stephen Barclay: The distinction the hon. Lady fails to make is that in England we are increasing the number of nurses in training by 25%; we are ensuring that nurses who have left the profession can return through the return-to-work programme; and we are introducing significant additional pay through “Agenda for Change”. As my right hon. Friend the Member for Harlow (Robert Halfon) said, we are also creating new routes so that those who come into the NHS through other routes, such as by joining as a healthcare assistant, are not trapped in those roles but are able to progress, because the Conservative party backs people who want to progress in their careers. Healthcare assistants who want to progress into nursing should have that opportunity.

Justin Madders (Ellesmere Port and Neston) (Lab): When defending the decision to scrap bursaries, the Secretary of State said that, if done right, it could provide up to 20,000 extra nursing posts by 2020. Well, that figure now looks wildly optimistic, with applications down two years in a row. Is it not time that Ministers admitted they have got this one wrong and joined the Opposition in the Lobby tomorrow to vote against any further extensions to this failed policy?

Stephen Barclay: If Members vote against the policy tomorrow, the reality is that they will be voting for a cap on the number of postgraduate nurses going into the system, and therefore they will be saying that more people should be rejected—more people should lose the opportunity to become nurses—because they want to have a cap that restricts the supply of teaching places.

Perinatal Mental Health

7. Jenny Chapman (Darlington) (Lab): What support GPs provide to mothers experiencing perinatal mental health problems.

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): We are committed to improving mental health support for expectant and new mothers, and GPs are crucial to that. We recognise that specialist services are also required, and I am proud to announce today that NHS England will be spending £23 million on rolling out the second wave of community perinatal services to underserved parts of the country and is on course to achieve full geographic coverage by 2020-21.

Jenny Chapman (Darlington) (Lab): Given that 95% of mums surveyed by the NCT said that they had experienced mental health problems, that only 22% said they were even asked about this by their GP and that only 24% of the country has any specialist provision, what more does the Minister think she ought to be doing?

Jackie Doyle-Price: The second wave roll-out will cover the entire geographical spread of the country. This is a transformational programme, so, by definition, it will take time to roll out, but I agree with the hon. Lady that GPs do have a role to play in this. The National Institute for Health and Care Excellence recommends postnatal checks for mothers, and NHS England expects commissioners to undertake that those guidelines are being met. As for any further support by GPs, she will be aware that there is a renegotiation of the GP contract and it will be covered there.

Several hon. Members rose—

Mr Speaker: Some young people are mothers and do have mental health problems, upon which important matter the hon. Member for Faversham and Mid Kent (Helen Whately) has Question 19, which, sadly, will not be reached. If she wishes to give the House the benefit of her thoughts now, she is most welcome to do so, but it is not obligatory. [Interruption.] We will get her in later.

Wera Hobhouse (Bath) (LD): Given that children of mothers with perinatal health problems are at much higher risk of developing mental health problems themselves, why does the Government’s Green Paper on mental health not address prevention in respect of perinatal health?

Jackie Doyle-Price: As I have said before, the proposals in the Green Paper on children and young people’s mental health were very much focused on what we were going to be delivering through schools. Alongside that, we have a very ambitious programme on perinatal mental health, where we are spending an extra £365 million on delivering both acute care and more support in the community. Today, I have just announced the second wave of that funding.
Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Back in 2010, we had 19 mother and baby units across the country, but cuts to those beds resulted in our then having 15 mother and baby units. Back in November 2016, the Government said we were going to see more beds opened. I listened closely to the statement the Minister has just made, but we are still waiting for beds that were announced back in November 2016. What are her Government going to do to ensure that mothers and babies will be kept together and can access the beds they desperately need?

Jackie Doyle-Price: I do not accept what the hon. Lady is saying. We are investing in new mother and baby units and making sure we have sufficiently good provision geographically so that mothers and babies can access them. We are also investing in more support in the community. I am pleased that the programme we can access them. We are also investing in more support provision geographically so that mothers and babies can access the beds they need.

Rural and Urban Communities: Health and Care Needs

8. Anne Marie Morris (Newton Abbot) (Con): Whether he has made a comparative assessment of the health and social care needs of rural and urban communities. [905165]

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): The diverse health and social care needs of local communities are considered in this Government’s policy and implementation. We are actively supporting local areas, including through Public Health England’s joint work with the Local Government Association, providing evidence-based recommendations to tackle the different needs of rural communities.

Anne Marie Morris: Would the Minister find it helpful to ask the national centre for rural health and care, shortly to be launched, to identify the specific challenges facing the providers of health and care in rural areas?

Jackie Doyle-Price: The centre has already engaged with stakeholders to identify the issues and responses to the challenge of providing health and care in rural settings. The centre will focus on four areas—data; research; technology; and workforce and learning—and will work with partners to identify, scale up and promote the adoption of its activities across the public and private health sector to reduce health inequalities and improve the quality of life for all rural people.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): If the ministerial team want to learn about the comparison of health outcomes in urban and rural communities, they should come to Huddersfield, as we have both there. But what we want in Huddersfield is a great hospital, great GPs and a supportive community pharmacy network. When are we going to get them?

Jackie Doyle-Price: I will address the point the hon. Gentleman makes about urban and rural health, as my constituency has the same situation. Obviously, there are specific challenges with regard to sparsity of population, which have to be tackled through the funding formula. The new national centre for rural health and care will address that.

Matt Warman (Boston and Skegness) (Con): For people in my rural constituency, the value of services at Boston’s paediatric unit could not be higher. Does the Minister agree with me—and with what the Prime Minister said last Wednesday—that we should leave no stone unturned when it comes to making sure that we can recruit the paediatricians we need and sustain the services at Pilgrim Hospital?

Jackie Doyle-Price: I am happy to associate myself with the comments of my hon. Friend and those of the Prime Minister. We should leave no stone unturned in making sure that we recruit enough paediatricians to support the service. I reiterate that every effort will be made to ensure that that happens.

22. [905180] Carol Monaghan (Glasgow North West) (SNP): Scotland recruits many health professionals from overseas, and that is particularly important for the delivery of healthcare in rural areas. Does the Minister agree that Scotland needs overseas doctors and nurses? What representations has she made to the Minister for Immigration regarding the lifting of the tier 2 visa cap?

Jackie Doyle-Price: The hon. Lady will understand that the impact on the workforce is of as much interest to us south of the border as it is to her. We continue to engage in representations with colleagues to address such matters.

Mr Philip Hollobone (Kettering) (Con): Northamptonshire has both rural and urban communities, but our biggest pressures are a rapid population increase because of house building and a big increase in the number of people who are, thank goodness, living to more than 80 years of age. Will the Minister ensure that those two issues are addressed in any future funding formula?

Jackie Doyle-Price: My hon. Friend is quite right that when we allocate funds we have to make sure that we keep pace with population growth among both the early years and the older years, which is where the demand comes from.

Several hon. Members rose—

Mr Speaker: I call Karen Lee. No? The hon. Lady is a most confusing individual.

Karen Lee (Lincoln) (Lab): I wanted to ask a supplementary to the question about Boston.

Mr Speaker: Oh, well, blurt it out.

23. [905181] Karen Lee (Lincoln) (Lab): Lincoln’s walk-in centre closed a few weeks ago and Boston’s paediatric department is threatened with closure. Does the Minister agree that cuts and privatisation in our NHS are damaging staff recruitment, retention and morale? [Interruption.] Ministers can shake their heads, but it is true: there are not enough doctors at Boston, which affects A&E and wider care delivery.
Jackie Doyle-Price: I can add no more to what I have already said in answer to my hon. Friend the Member for Boston and Skegness (Matt Warman). We will do everything we can to make sure that we can recruit sufficient paediatricians for that hospital.

Julie Cooper (Burnley) (Lab): What plans does the Minister have to increase the role of community pharmacies in meeting the health needs of rural and urban communities? In 2016, the Government promised to develop an extended role for community pharmacies. In particular, they committed in the House that the national roll-out of a minor ailments scheme would be implemented by April 2018. Given that it is now May 2018 and that has not happened, and that there has been an overall reduction in services commissioned via community pharmacies in both rural and urban communities, will the Minister tell the House when exactly the Government intend to honour their commitment?

Jackie Doyle-Price: The provision of community pharmacies is an important part of integrated primary care. We will continue to make sure that we direct sufficient resource to address the particular challenges caused by rural sparsity. I remind the hon. Lady of what we have already done: we spent £175 million from the Prime Minister’s challenge fund to transform GP access, and that is increasing access in areas such as North Yorkshire, Devon and Cornwall. We will continue to look into the particular challenges that rural communities face and make resources available.

NHS Dentistry: Funding Distribution

9. Imran Hussain (Bradford East) (Lab): What guidance his Department provides to NHS England on the redistribution to other healthcare areas of funding clawed back from dentists who have not met their contracted units of dental activity. [905166]

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): The Department does not issue guidance specifically to NHS England on the redistribution of funding that is recouped from dental contracts. Of course, any decisions on the provision of healthcare are rightly a matter for the local NHS, because local commissioners are best placed to assess the dental needs and priorities among their local population, including the one that the hon. Gentleman represents in Bradford.

Imran Hussain: People in Bradford cannot get an NHS dentist, child tooth decay rates are soaring, and people are being admitted to hospital because they cannot get dental care. It was announced over the weekend that Bradford will receive an extra £332,000, which I of course welcome, but between 2014 and 2017, more than £300,000 was taken from dental care funding in the district. Is it not the case that the new funding is just a misleading announcement?

Steve Brine: I think that is what is known as a back-handed welcome. We have made great progress on improving access to dentistry in England, but we know that there are parts of the country, including the hon. Gentleman’s area, in which we can do more. That is why NHS England in Yorkshire and the Humber—with which I liaise on matters raised by a number of Opposition colleagues—is finalising plans to improve access to dentistry throughout the region, paying particular attention to 20 areas. Bradford East is one of those areas and, as the hon. Gentleman said, will shortly receive additional recouped funding to support his constituents.

Dr Paul Williams (Stockton South) (Lab): Why are dentists, such as my constituent Peter Sharp in Thornaby in Stockton South, funded less per unit of dental activity than his colleagues who are working in more affluent areas? Surely, to reduce health inequalities, it should be the other way round?

Steve Brine: That goes to the heart of why we are reforming the dental contracts. Our 73 high street dental practices are continuing to test the preventive focused clinical approach to a new remuneration practice. [Interruption.] Someone on the Opposition Front Bench has just said “when” from a sedentary position. It will be when we have got it right.

Mr Speaker: The hon. Member for Tonbridge and Malling (Tom Tugendhat) has beelited into the Chamber like a perspiring postman just in time. It is very good to see the fellow.

GP Services: Capacity and Availability

11. Tom Tugendhat (Tonbridge and Malling) (Con): What steps he is taking to increase the capacity and availability of GP services. [905169]

The Secretary of State for Health and Social Care (Mr Jeremy Hunt): We want all NHS patients to be able to access appointments in the evenings and at weekends. Thanks to our programme, 40% of the population currently do so, and that will rise to 100% next October.

Tom Tugendhat: Forgive me for rushing in; I was tied up with Committee matters.

My right hon. Friend has set out a great vision for the national health service over recent years, and I very much welcome it, but does he agree that, in local areas, some of the GP provision could do with a little more work? I am particularly thinking of West Malling in my own constituency where a large element of the community is finding it harder to get access, and there is a danger that the GP surgery may leave the high street.

Mr Hunt: My hon. Friend is right to draw attention to that issue. He does have, I think, 28 more GPs in the west Kent clinical commissioning group area than in 2010, but there is a particular issue over premises. The need to invest in premises is deterring younger GPs from becoming partners, and sometimes making GP surgeries unviable. We are looking at that problem now.

Mrs Madeleine Moon (Bridgend) (Lab): So many GP practices—no matter what salaries or what terms and conditions they offer—are reporting a reluctance by newly qualified GPs to go into GP practice. What will the Minister do about the hours of work—the time given to consult with constituents—to make it easier for people to see GP practice as a viable opportunity to serve their community?
Mr Hunt: I do very much agree with the hon. Lady, which is why we are working hard to recruit 5,000 extra GPs into general practice in England. I gently point out to her that the Royal College of General Practitioners says that, while we spend 9.2% of the NHS budget in England on general practice, it is only 7.3% in Wales.

David Tredinnick (Bosworth) (Con): Has my right hon. Friend had time to consider the recent Professional Standards Authority report, “Untapped Resources”, of which the principal recommendation is that practitioners on PSA-accredited registers should have powers to make direct NHS referrals, which would reduce the burden on GP surgeries?

Mr Hunt: I always look forward to the multiple interesting ways in which my hon. Friend returns to the same subject. We are always open to ideas that reduce pressures on GP surgeries, and I will look carefully at his latest idea.

Helen Jones (Warrington North) (Lab): The Secretary of State knows—because I keep telling him—that Warrington has fewer GPs than its population warrants. What concrete steps will he take to attract GPs to areas that are under-doctored?

Mr Hunt: Most parts of the country would say that they need more GPs, which is why we are trying to improve the capacity across the country. So, what have we done? Well, very recently we announced six new medical schools, which will have a specific focus on attracting new students into general practice. That is one of a number of measures probably premature to say that it is a success, but we will welcome the opportunity to see the evidence emerge from Scotland’s implementation of minimum unit pricing, and we will be watching very closely.

John Grogan (Keighley) (Lab): Does the Minister agree that it is significant that major pub companies and brewers such as Greene King, Coors and Tennent’s now support minimum pricing, and that what is good for the nation’s health is good for the nation’s pubs and the promotion of sensible drinking?

Steve Brine: We want to get on and tackle all avoidable harms, including alcohol. The vast majority of our constituents enjoy a drink and have a healthy relationship with alcohol, but that is not the case for everybody. Some people can harm themselves, society and, as we have heard, their children. What is happening north of the border in Scotland is very welcome. I think that there will be an early evaluation there at the one-year point, and we will be watching that like a hawk.

Obesity

13. Victoria Prentis (Banbury) (Con): What steps the Government are taking to tackle obesity.

The Secretary of State for Health and Social Care (Mr Jeremy Hunt): Childhood obesity is one of the biggest public health challenges we face, which is why we are committed to reducing the sugar in products consumed by children by 20% over four years.

Victoria Prentis: I recently met my constituent, Professor John Wass, at an Obesity Health Alliance tea, where—the Secretary of State will be pleased to know—no cake was served. Professor Wass shares my concerns about the availability of hospital services for those with established obesity. Will my right hon. Friend set out what plans his Department has to treat those who are already obese?

Mr Hunt: We recognise the value of bariatric surgery, which is of course subject to the normal waiting time standards for those for whom it is appropriate. However, prevention is better than cure. That is why we are hoping to bring forward shortly further measures to tackle childhood obesity, which is one of our biggest concerns.

Rachael Maskell (York Central) (Lab/Co-op): Obesity-related hospital admissions in York have more than doubled in the last three years. As part of NHS70, we in York are launching a city-wide public health initiative to ensure that we address issues around obesity, diet and exercise. Will the Secretary of State support such work and ensure that we get the funding that we need to run this initiative for the whole constituency and the city?

Mr Hunt: I am happy to give the project my wholehearted support. If we are going to tackle obesity, we need an approach that goes across all Departments of Government, including local government, and this initiative sounds excellent. The Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Winchester (Steve Brine), will be looking into the funding.
Kevin Hollinrake (Thirsk and Malton) (Con): Lambert Hospital in Thirsk was bequeathed to the town by Sara Lambert in 1890, and was closed via the back door by South Tees Hospitals NHS Foundation Trust last year. NHS Property Services is planning a sell-off to the highest bidder, despite the fair offer that is on the table from the local authority which could include provision for community use such as public health advice. Does my right hon. Friend agree that there are times when value to the public might outweigh the requirement to maximise a price?

Mr Hunt: I have spoken to my hon. Friend about this matter, and he speaks powerfully about the community interest in this particular transaction. We have listened carefully to what he has said, and will continue to do so before a decision is made.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): This August marks two years since the world’s first childhood obesity plan was published, but the Government’s plan, at just 13 pages, left a lot to be desired. More than 5.5 million children in this country are now officially classed as overweight or obese, with 140,000 classed as morbidly obese, as the hon. Member for South West Bedfordshire (Andrew Selous) mentioned. This is now an epidemic. Will the Secretary of State confirm whether the Government’s second childhood obesity plan—due this summer, we have heard—will include meaningful policies such as restricting junk food advertising and the sale of energy drinks to children?

Mr Hunt: I agree with the hon. Lady. Lady that we need to do more, because this is a very serious issue. I think that she is being slightly unfair on our first initiative. The sugary drinks tax has been responsible for 45 million kg of sugar being removed from the market, which is enormously important for children. There is more to be done and I hope that we will be able to announce plans soon.

Tom Pursglove (Corby) (Con): The Daily Mile initiative in schools has huge potential in reducing childhood obesity, improving academic attainment, and improving the mental wellbeing of our young people. Will my right hon. Friend look closely at that and have conversations across Government about the benefits it could bring?

Mr Hunt: That is an excellent initiative from Scotland, and it shows why we all benefit from being in the United Kingdom together. Yes, we will look at it very closely.

Liz McInnes (Heywood and Middleton) (Lab): In tackling childhood obesity, will the Health Secretary declare his support for Jamie Oliver’s AdEnough campaign and get rid of pre-watershed television advertising of junk food to our children?

Mr Hunt: That is one of a number of measures that we are looking at. We are absolutely determined to do something about this. One in 10 children starts school obese, and by the time they leave primary school the figure is one in five. We cannot wait any longer.

Stoke Patients: Health Outcomes

14. Kate Green (Stretford and Urmston) (Lab): What steps he is taking to improve health outcomes for stroke patients.

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Evidence from cities such as Manchester and London is very clear that centralising stroke treatment in hyper-acute stroke units considerably improves outcomes, with patients having access to a specialist at all times and immediate access to imaging and investigative facilities, giving them the best chances in terms of outcome.

Kate Green: My 82-year-old constituent, Freda, is recovering well from a serious stroke, but she has been told that there is an 18-week wait for physiotherapy and that this is the NHS standard. Does the Minister think that that is good enough?

Steve Brine: I cannot comment on the individual case, but I can say that NHS England and we at the Department are working closely with the Stroke Association to develop a new national plan for stroke in England which we expect to publish this summer. The hon. Lady’s constituents and mine will benefit from the national policy narrative, but they will also benefit from some brilliant charities that work on the ground with constituents. Yesterday, I saw Chandlers Ford Stroke Support Group at the amazing Funtasia in my constituency. That group does a lot to support people in stroke as well.

Rachel Maclean (Redditch) (Con): In Worcestershire, we are fortunate to have some excellent stroke services serving my constituents across the whole county. Does the Secretary of State agree that the most important aspect of any service is leadership? With that in mind, will he update the House on his progress in appointing a new chair for our trust to deliver stroke services and other services to Redditch?

Steve Brine: I am not close to that issue, but I am told that we have some excellent candidates, and I think that my hon. Friend will be pleased.

Ruth George (High Peak) (Lab): The most important service that stroke patients need is priority in getting to hospital for the treatment they need. A patient in my constituency recently had to wait five hours for an ambulance, with a GP sitting next to her begging the service to send one. East Midlands Ambulance Service has now had a review and will be getting an increase in its funding, but can that be made faster over the next two years?

Steve Brine: The new ambulance standards are designed to do exactly that. I note the hon. Lady’s welcome for that in her area. That is critical, but of course it is critical that people get to the right place and the right treatment. That is why I said at the start of these exchanges that centralising stroke treatment is not always popular but is often the best thing for clinical outcomes.

NHS Dentistry

15. Alex Cunningham (Stockton North) (Lab): How many people have accessed NHS dentistry services in the last 12 months for which data is available. [905173]

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Access to NHS dentistry remains consistently high. The most recent figures show
that 22 million adults were seen by an NHS dentist in the 24 months from January ’16 to Christmas last year and 6.9 million children visited a dentist last year.

Alex Cunningham: Twelve thousand of those people in my constituency were left without a dentist when the Queensway practice in BBillingham, in common with many dentists across the country, ditched NHS work. People are trying to build capacity there, but the funding system for dentists is a major impediment. What plans do the Government have to address the crisis in NHS dentistry, encourage dentists to stay with the NHS, and make dental health a priority?

Steve Brine: We have been in correspondence about the Queensway practice, as the hon. Gentleman knows. When a dental contract ends and patients need to find another dentist, NHS England has a legal duty, as he knows, to commission alternative services to meet local need. I understand that that is happening in his area and that he is being kept regularly updated on the situation. In answer to a previous question, I mentioned the dental contract, which is a key part of our reforms to keep people in, and attract people into, the dental profession.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): It is shameful that our older and vulnerable residents living in care homes do not have the access to dental treatment that they need. The Minister revealed in a written answer to me that older people living in care homes are less likely to have any natural teeth and are more likely to have serious tooth decay, but still no specific action has been taken. Will the Secretary of State meet me and commit to do everything he can to help prevent serious tooth decay for our older and most vulnerable residents?

Steve Brine: As I said, NHS England has a legal duty to commission dental services and primary care dental services for the hon. Lady’s constituents. If she wants to bring a specific example from her constituency to me, I will be happy to look at it.

Social Media: Children’s Mental Health

16. James Morris (Halesowen and Rowley Regis) (Con): What steps he is taking to protect children’s mental wellbeing from the harmful effects of social media.

The Secretary of State for Health and Social Care (Mr Jeremy Hunt): We are worried about the effects of social media on children and young people, which is why we have asked the chief medical officer to undertake a systematic review of all the international literature, to help us understand what further steps to take.

James Morris: I recently met a group of headteachers in Halesowen, who expressed real concern about the effects of social media on the health of their pupils. Does the Secretary of State agree that peer-to-peer support among young people in the classroom and in our communities is a vital way of benefiting young people through the positive aspects of social media and combating the negative effects on their mental health?

Mr Hunt: My hon. Friend is very knowledgeable about mental health, and I totally agree with him. That is why we have given £700,000 to the Anna Freud Centre to train teachers in how to make possible peer support for children having mental health issues.

Helen Goodman (Bishop Auckland) (Lab): Durham police tell me that when there is a problem on social media, particularly Facebook, it can take six months between their asking for action and the social media company tackling it. Will the Secretary of State speak to the Home Office to get the system changed and speed it up?

Mr Hunt: The hon. Lady is absolutely right. I have spoken to the social media companies. They are brilliant technologists, and they have a duty to their customers to make themselves part of the solution, not part of the problem, when these things happen.

Kevin Foster (Torbay) (Con): Does the Secretary of State agree that some of this is about ensuring that parents use appropriate techniques—for example, having specific screen times and engaging with their children about what they see on social media—and giving them the tools to do so?

Mr Hunt: My hon. Friend is absolutely right. Parents play a vital role, but social media companies can make it easier for parents like us to do the right thing, and sometimes the tools that parents need to use are not readily available.

Lucy Powell (Manchester Central) (Lab/Co-op): Speak to any young person about what is causing child mental health issues, and the No. 1 issue is not social media, but exam and test pressure in schools, as we have found in the joint inquiry by the Health and Education Committees. Will the Secretary of State be as harsh on his colleagues in the Department for Education as he is on the social media companies when it comes to child mental health?

Mr Hunt: What we actually now have is a record number of children in good or outstanding schools—nearly 2 million more children. That is something we all want for our children, but when it comes to mental health, the NHS has very specific responsibilities, and we of course look into every possible cause.

Folic Acid: Children and Pregnant Women

17. Anna Turley (Redcar) (Lab/Co-op): What assessment he has made of the potential merits of flour fortified with folic acid for children and pregnant women.

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): The Government are looking at existing pre and post-conception health advice, including the use of folic acid supplements, which are recommended to help reduce the risks of neural tube defects in unborn children. We are carefully considering the recommendations in the Scientific Advisory Committee on Nutrition report on folic acid, and the Government will set out their position in due course.
Anna Turley: I thank the Minister for that answer, but the UK female diet leaves blood folate levels below World Health Organisation targets, and it was recommended back in 1991 that folic acid should be put into supplements and that flour should be fortified. There are 80 countries around the world where that is happening, and it is reducing cases of spina bifida and other serious illnesses by up to 50%. Will the Minister work with the Department for Environment, Food and Rural Affairs to look once again at the opportunities for fortifying flour with folic acid?

Jackie Doyle-Price: I can confirm that we will continue to look at that. The hon. Lady is right that a large number of countries fortify flour with folic acid, but the UK and other EU countries do not. We have advice that if the intake of folic acid exceeds given levels, that can also bring health problems, but we will continue to look at it.

Topical Questions

T1. [905182] Ian Murray (Edinburgh South) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Health and Social Care (Mr Jeremy Hunt): I would like to give an update on the breast cancer screening failure. I met the Public Health England chief executive this afternoon, and I am informed that 65,000 letters were sent out last week, and the helpline has taken nearly 14,000 calls to date. Further letters are being sent out this week, and the first invitations to catch-up screenings will go out next week. Due to the lack of clinical consensus about the effectiveness of screening for older women, we will provide advice and support for all who missed scans and support them in making their own decision as to whether to proceed. We will also publish the terms of reference for the independent inquiry shortly, and I can assure the House that no stone will be left unturned in uncovering the truth.

Ian Murray: I am grateful to the Secretary of State for that update, but I would like to ask him about the Brexit transition agreement, which cuts the UK out of the European Medicines Agency. Can he give this House a cast-iron guarantee that that will not stop the regulation of new drugs in the UK to help patients, and will not prevent our world-class pharmaceutical companies from basing themselves here to do world-class research and development?

Mr Hunt: Yes, I can.

T2. [905183] Robert Halfon (Harlow) (Con): The Secretary of State has visited Princess Alexandra Hospital in Harlow on a number of occasions and he will recognise that, despite excellent staff, the hospital is not fit for purpose. Will he confirm that Harlow is at the top of the list for capital funding, and that we will get the new hospital our town desperately needs?

Mr Hunt: We recognise that the Princess Alexandra Hospital estate is in a poor condition. NHS Improvement is working with the trust to develop an estate and capital strategy by summer 2018 to be assessed, with other schemes put forward, for the next capital announcement for sustainability and transformation partnerships. I am very happy to meet my right hon. Friend to have further discussions about it.

Jonathan Ashworth (Leicester South) (Lab/Co-op): I thank the Secretary of State for his update on breast cancer screening. I welcome his letter this morning with respect to patient safety in the private sector, but is not the truth that the best quality of care is provided by a public national health service? Is it not time to legislate to ensure that private hospitals improve their patient safety standards, and if he accepts that levels of safety are not acceptable in the private sector, why is the NHS still referring patients to the unsafe private sector? Should there not be a moratorium on those referrals until these issues are sorted out?

Mr Hunt: The hon. Gentleman should be very careful in making generalisations about the independent sector, just as he is about the NHS sector, because the truth is that there is too much poor care in both sectors, but both sectors also have outstanding care. I have always said that there will be no special favours for the independent sector, which we will hold to the same high standard of care, through the Care Quality Commission regime, as we do with NHS hospitals. Let me just say to him that if we stopped referring people to the independent sector, 140,000 people would wait longer for their operations, and that is not good care.

Jonathan Ashworth: We have seen the private sector fail—the NHS is sued by Virgin Care, patient transport contracts have to come back in-house, and Carillion collapses and cleaning contracts have to come back in-house—and now we learn that the hotline for women affected by the breast cancer screening failures is provided by Serco and staffed by call handlers who, far from having medical or counselling training, have had one hour’s training. Do not the women affected deserve better than that? Will the Secretary of State provide the resources for that phone line to be brought back in-house and staffed by medical professionals?

Mr Hunt: I normally have so much respect for the hon. Gentleman, but I think those women deserve a lot better than that posturing. The helpline was set up at very short notice because, obviously, the call handlers could not do all their training until I had made a statement to Parliament, which I judged was the most important thing to do first. It is not the only help that the women affected will be getting—one on the basis of the advice received, they will be referred back for help at their local hospital, with Macmillan Cancer Support or through specialist clinicians at Public Health England—but we thought it was right that that number was made available as quickly as possible.

Several hon. Members rose—

Mr Speaker: I call Eddie Hughes. Get in there, man.

T9. [905191] Eddie Hughes (Walsall North) (Con): I hope the Minister will join me in congratulating the mayor of Walsall, Marco Longhi, whose mayoralty has raised a significant sum to support WPH Counselling and Education Services, which provides adolescent mental care and counselling in Walsall.
The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): I am very grateful to my hon. Friend for raising this matter, and I very much welcome the contribution made by the charity to support teenagers in his constituency with psychological therapies and to help to address their mental health conditions. I join him in extending my congratulations to the mayor for choosing this very important cause and for endeavouring to raise so much money for it.

T3. [905184] Faisal Rashid (Warrington South) (Lab): Chapelford medical centre in my constituency has been operating out of a portakabin on waste land for many years, due to excessive delays and the failings of various NHS bodies involved in this project. What action will Ministers take to resolve these shocking delays, and will they meet me to give assurances to my constituents?

Jackie Doyle-Price: I thank my hon. Friend. Friend for her question and her continued industry on these matters. As she mentioned, the Green Paper outlined plans to set up a new national strategic partnership focused on improving the mental health of 16 to 25-year-olds. That partnership is likely to support and build on sector-led initiatives in higher education, such as Universities UK’s #stepchange project, whose launch I attended in September. The strategy calls on higher education leaders to adopt mental health as a strategic priority, to take a whole-university approach to mental health and to embed it across policies, courses and practices. [Interruption.]

Mr Speaker: Order. The hon. Member for Wigan (Lisa Nandy) need not worry; her Zebedee-like qualities will always make her visible. I am saving her for later. We will hear from her shortly.

T4. [905185] Keith Vaz (Leicester East) (Lab): There is a clear connection between obesity and type 2 diabetes. Will the Secretary of State confirm that that issue will be addressed in the national diabetes prevention programme?

Steve Brine: Obesity has rightly had a strong outing today. We know that it is a leading cause of type 2 diabetes; supporting people to live healthier lifestyles can only reduce the incidence of the disease. So far, more than 170,000 people have been referred to the national diabetes prevention programme. Those who are referred receive tailored, personalised help, including education on healthy eating and lifestyle choices, and bespoke physical exercise programmes.

Mr Philip Dunne (Ludlow) (Con): Is my right hon. Friend aware that following his decision to make the capital allocation to Shrewsbury and Telford Hospital NHS Trust before Easter, that trust has had sufficient confidence to successfully appoint five additional consultants in 10 days in April, thereby improving resilience in acute healthcare in Shropshire?

Stephen Barclay: I very much welcome the progress that my hon. Friend has shared with the House. Many of us will also want to pay tribute to his leadership during his time at the Department in recognising the opportunity for reconfiguration that the capital would unlock and is now delivering.

T5. [905186] Stella Creasy (Walthamstow) (Lab/Co-op): On 21 March, the Secretary of State told the House that he would look at the impact of private finance initiative deals on NHS hospital budgets. What has he done since then? How many meetings has he had about the issue? Will he commit not to use PF2 deals, given the concerns?

Mr Hunt: I can absolutely commit that we are very conscious of the failings of PFI when we have any discussion about NHS capital funding, including the previous question. We are very conscious of the need not to make the mistakes that saddled the NHS with £71 billion of PFI debt.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Dispensing practices are a lifeline in rural constituencies such as Sleaford and North Hykeham. Does my right hon. Friend agree that patients who live far from a pharmacy and attend their local dispensing practice should all have access to that dispensing service?

Steve Brine: Yes, I do: dispensing practices are an important part of the widening primary care mix. That is important for constituents in rural areas such as my hon. Friend’s. Community pharmacy and dispensing practices, which she refers to, are increasingly important when they are part of an integrated primary care pathway. That has got to be the future.

T6. [905187] David Linden (Glasgow East) (SNP): What discussions have the Government had with Vertex regarding the availability of Orkambi? Many Members packed out Westminster Hall in a debate about that issue. Will the Government give us an update on this really serious issue?

Steve Brine: This issue has received a lot of publicity in recent weeks. My noble Friend Lord O’Shaughnessy and I wrote to Vertex following that debate and asked it to be reasonable and continue, with vigour, its negotiations with NHS England. That letter was made public, as was the company’s actually quite positive response last week. I urge the company again to come to a reasonable conclusion.

Alan Mak (Havant) (Con): Healthcare delivered by app and other new technologies is increasingly popular with patients. Will my right hon. Friend undertake to ensure that the NHS fully explores the possibilities of new technologies when delivering front-line services?

Mr Hunt: I will absolutely do that. I congratulate my hon. Friend on the excellent report that he published last week on that very topic. We want to be the first country in the world where all patients can access their own medical record through an app.
John Grogan (Keighley) (Lab): Does the Secretary of State share my concern that, according to the Royal College of Physicians, 43% of advertised consultant vacancies were left unfilled in 2016-17? Will Ministers be brave and argue publicly that there should be more visas for overseas doctors?

Mr Hunt: Last year we gave more than 4,000 visas for overseas doctors and since I have been Health Secretary we have had nearly 10,000 more doctors, so we absolutely want to address that problem.

Paul Masterton (East Renfrewshire) (Con): My constituent Susan is desperately waiting for the Government to bring forward the remedial order for single parent surrogates. The Joint Committee on Human Rights published its response to the original draft in March. Is there any update on when we will get the next version?

Jackie Doyle-Price: I can reassure my hon. Friend that the Government are giving careful consideration to the implications of the JCHR’s recommendations and what changes may be necessary to address them. It is our current intention that a revised order be laid before JCHR scrutiny before the summer recess.

Several hon. Members rose—

Mr Speaker: Patience rewarded. I call Thelma Walker.

Thelma Walker (Colne Valley) (Lab): Does the Minister agree that eating a nutritionally balanced meal can reduce snacking between meals and therefore help to reduce childhood obesity? If so, will he speak to his colleagues in the Department for Education and ask them to ensure that the 6,400 children in Kirklees who are set to lose out on a well balance nutritious free school meal do not?

Steve Brine: I talk to colleagues across Government all the time. The first round of the child obesity plan—it was maligned earlier—contained many good things, such as the sugary drinks tax. A couple of months ago we launched, with Public Health England, changes in relation to the nutrient profiling of foods marketed to children. That is positive for the hon. Lady’s constituents and for mine.

Jeremy Lefroy (Stafford) (Con): Five years on from the Francis report, how does my right hon. Friend assess patient safety in the NHS?

Mr Hunt: There are still many things to tackle when it comes to patient safety, but I think the NHS has risen magnificently to the challenges in the report. There are nearly 45,000 more doctors and nurses across the system. Although there is more to be done, much credit should go to the NHS.

Lisa Nandy (Wigan) (Lab): This week marks two and a half months since the independent inquiry into child sexual abuse recommended that compensation be paid urgently to children sent abroad by their Government and subjected to the most appalling child abuse. In that time, the Secretary of State’s Department, despite repeated requests for action, has made not a single statement. Many former child migrants have died and others are dying. How many more will have to wait, and die waiting, for justice before this Government get their act together and pay them the compensation that is owed?

Jackie Doyle-Price: We have been quite frank about the fact that the child migration policy should never have happened and this Government have apologised repeatedly for it. I can assure the hon. Lady that I am currently working with officials to come up with a formal response to the committee of inquiry.

Leo Docherty (Aldershot) (Con): Will the Minister update me on the FIT—faecal immunochemical test—for bowel cancer? It has long been promised and we know it saves lives. When will it materialise?

Steve Brine: I updated Members on this last week in a Westminster Hall debate. Bowel cancer is the fourth most common cancer in the UK and the second leading cause of cancer deaths. My hon. Friend is right that the FIT has long been promised. There have been a lot of challenges—making sure we get it right and referrals into the secondary sector—but the FIT will be rolled out from autumn.

Hilary Benn (Leeds Central) (Lab): The European health insurance card enables British citizens to get medical treatment in the EU, including kidney patients who need dialysis. Without it, many of them simply could not go on holiday at all. Will the Secretary of State tell the House whether it remains the Government’s objective to keep the EHIC in place after we have left the EU, and, if so, what progress is being made to ensure that that happens?

Mr Hunt: It is absolutely our intention. We think it is beneficial for Brits and beneficial for Europeans. We are very confident that we will be able to negotiate reciprocal healthcare arrangements to protect those benefits, but our first preference would be a continuation of the current scheme.

Bim Afolami (Hitchin and Harpenden) (Con): Will the Minister explain how and when the community pharmacy sector will gain access to the pharmacy integration fund? Millions have been promised. When will it be delivered?

Steve Brine: The pharmacy integration fund is a great success. It needed to be ramped up and it is being ramped up. Pharmacists, working within general practice, are making a great difference to the multidisciplinary team within primary care.

Mr Speaker: I feel sure that “ramped up” is the technical term.

Chris Elmore (Ogmore) (Lab): The Secretary of State will be aware that the hon. Member for Hazel Grove (Mr Wragg) and I set up an all-party group on the impact of social media on the mental health of children. With all the work the Secretary of State has done to date on that, I wonder whether he and his ministerial team will agree to engage with the all-party group’s inquiry and look at how we find solutions to these problems, including mental health.
Mr Hunt: I would be delighted to do so.

Mr Speaker: Splendid. I call Chris Skidmore.

Chris Skidmore (Kingswood) (Con): Several of my constituents have contacted me to welcome the Government’s recent announcement of additional investment for prostate cancer funding. Will the Minister update the House on what the money is and what it will be spent on?

Steve Brine: Gladly. Prostate cancer survival rates are at a record high, but we want to do even better, so last month the Prime Minister announced £75 million to support new research into the early diagnosis and treatment of prostate cancer. The National Institute for Health Research will recruit 40,000 more patients, which is a lot, for more than 60 studies into prostate cancer over the next five years.

Judith Cummins (Bradford South) (Lab): I welcome the recent news that NHS England has committed to redirecting extra funding for dental services to Bradford as an area of need—it comes after a high-profile campaign in the Bradford Telegraph and Argus—but I urge the Minister to recognise the need for long-term reform of the dental contract and for a sustainable funding settlement for all. Will he meet me and others campaigning on this issue to discuss what progress has been made?

Steve Brine: Yes. The dental contract has had a good outing this afternoon. I am always happy to see the hon. Lady and I can tick the Telegraph and Argus off my bucket list if they come along as well.

Several hon. Members rose—

Mr Speaker: I have been enjoying listening to my colleagues so much that I inadvertently lost track of time, but it seems only right that the final question should go to the Chair of the Health Committee—I call Dr Sarah Wollaston.

Dr Sarah Wollaston (Totnes) (Con): Thank you, Mr Speaker. Will the Secretary of State commit to publishing the progress report on sugar reduction and the next steps strategy on the reformulation programme, so that the Health Committee can examine that when Public Health England appears before us on 22 May?

Mr Hunt: I had a conversation with Public Health England before questions this afternoon, and it committed to publishing that before that hearing.
Learning Disabilities Mortality Review

3.41 pm

Barbara Keeley (Worsley and Eccles South) (Lab): To ask the Secretary of State for Health and Social Care to make a statement on the learning disabilities mortality review. [ Interruption. ]

Mr Speaker: Order. There is a certain amount of chuntering from a sedentary position. The Secretary of State has been with us, but Minister Caroline Dinenage will answer the urgent question, and we look forward to her answer.

The Minister for Care (Caroline Dinenage): The Government are absolutely committed to reducing the number of people with learning disabilities whose deaths may have been preventable and have pledged to do so with different health and care interventions. The learning disabilities mortality review programme was established in June 2015; it was commissioned by NHS England to support local areas in England to review the deaths of people with a learning disability. Its aims were to identify common themes and learning points, and to provide support to local areas in their development of action plans to take forward the lessons learned.

On 4 May, the University of Bristol published its first annual report of the LeDeR programme, covering the period from July 2016 to November 2017. The report included 1,311 deaths that were notified to the programme and set out nine recommendations based on the 103 reviews completed in this period. The Government welcome the report’s recommendations and support NHS England’s funding of the programme for a further year at £1.4 million. We are already taking steps to address the concerns raised, but the early lessons from the programme will continue to feed into our work, and that of our partners, to reduce premature mortality and improve the quality of services for people with learning disabilities.

Barbara Keeley: Mr Speaker, I think it is disgraceful that the Secretary of State has just run out of the Chamber, rather than answering this question himself—it is disgraceful.

Seven years after Winterbourne View and five years since the avoidable death of Connor Sparrowhawk, the findings of the review show a much worse picture than previous reports about the early deaths of people with learning disabilities. One in eight of the deaths reviewed showed that there had been abuse, neglect, delays in treatment or gaps in care. Women with a learning disability are dying 29 years younger than the general population, and men with a learning disability are dying 23 years younger. Some 28% of the deaths reviewed had occurred before the age of 50, compared with just 5% of the general population who had died by that age.

The Secretary of State announced to the House in December 2016 that he would ask the review for annual reports on its findings, so why was a review of this importance published during the recess, before a bank holiday weekend, “shows the disrespect and disregard” there is for the scandalous position of people with learning disabilities shown in the report.

Only 103 of 1,300 cases passed for review between July 2016 and November 2017 have been reviewed. That is a paltry number. The report cites a lack of local capacity, inadequate training for people completing mortality reviews and staff not having enough time away from their duties to complete a review.

If there are issues around capacity and training, what is NHS England doing to rectify this? Sir Stephen Bubb, who wrote the review into abuse at Winterbourne View, said this in response to the report:

“there can be no community more abused and neglected than people with learning disabilities and their families. How many more deaths before we tackle this injustice?”

Dr Sara Ryan said:

“things have actually got worse than they were 10 years ago”. What action will the Government take to show the families of people with learning disabilities that their relatives’ lives do count?

Caroline Dinenage: I thank the hon. Lady for raising this issue; the report makes for very troubling reading.

On the date of publication, the hon. Lady will be aware that this was an independent report prepared by the University of Bristol and commissioned by NHS England, which wanted to look into this really important issue, and because it was an independent report, it did not actually alert us to publication, so we had no more notice than she did. We are investigating through NHS England and others why that happened.1

As the report clearly identifies, there is still more work to do, and we will work with partners to see how the recommendations may be implemented. We are committed to learning from every avoidable death to ensure that such terrible tragedies are avoided in the future. She mentions Dr Sara Ryan, whose son, Connor Sparrowhawk, died in such tragic circumstances in my own Southern Health Trust area. She and other parents like her are testimony to the incredible dedication of people who have worked so hard to get justice for their loved ones at a time when they feel least able to do so.

We have done several things already. We have introduced a new legal requirement so that from June every NHS trust will have to publish data on avoidable deaths, including for people with a learning disability, and provide evidence of learning and improvements. We are the first healthcare system in the world to publish estimates of how many people have died as a result of problems in their care. Learning from the review is also informing the development of the pathways of care published by NHS England and the RightCare programme, which is tailored to the needs of people with learning disabilities. Pathways on epilepsy, sepsis and respiratory conditions will be published later this year.

We have introduced the learning disability annual health checks scheme to help ensure that undiagnosed health conditions can be identified early. The uptake of preventive care has been promoted and improved, while the establishment of trust between doctors and patients is providing better continuity of care. We have also supported

workforce development by commissioning the development of learning disabilities core skills education and training framework, which sets out the essential skills and knowledge for all staff involved in learning disability care.

As I said, the report makes for troubling reading, but we asked NHS England to commission it so that we might learn from these deaths and make sure that trusts up and down the country are better equipped to prevent them from happening in the future.

Dame Cheryl Gillan (Chesham and Amersham) (Con): Every preventable death brings personal tragedy, as was highlighted in a 2016 report by Autistica, the autism charity, entitled “Personal tragedies, public crisis”. Autistic adults with a learning disability are 40 times more likely to die prematurely. That is why I welcomed the Government’s announcement in March that reducing the gap in life expectancy for autistic people was one of the top autism priorities in the “Think Autism” strategy governance refresh under provisions in the Autism Act 2009. How will the Minister implement those provisions?

Caroline Dinenage: I pay tribute to my right hon. Friend, whose incredible work over many years campaigning on behalf of autistic people up and down the country has made a magnificent difference. She is right to raise this issue. It is of course unacceptable that people with autism have poorer health outcomes, and we are determined to address this. I meet regularly with representative groups and we take on board all their comments about how they would like to see the situation improved.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The report makes tragic reading. Some of our most vulnerable citizens are four times more likely to die prematurely than the general population, and there have been many avoidable deaths because of systemic failures. The situation cannot continue.

Let me ask the Minister three questions. First, will she look at the Scottish patient safety programme, a national programme that has been running since 2008 and is achieving good outcomes? Secondly, given that the Health and Social Care Committee has heard that learning disability nurses are very scarce, will she redouble the efforts to ensure that training for and recruitment to those roles are prioritised? Picking up symptoms early may be crucial to the prevention of morbidity. Thirdly, staff turnaround in social care is a real issue. Social care staff who know a client well, and can notice early changes such as signs of illness and report them timeously to ensure prevention, are crucial, and consistency in care is therefore critical. How will that be addressed?

Caroline Dinenage: The hon. Lady is right to raise those points. The Government are absolutely committed to reducing the number of people with learning disabilities whose deaths might have been preventable had there been different health and care interventions. That is why we set up the learning from deaths programme, and have commissioned an investigation of the issue. We are determined not only to learn from every single one of these tragic and avoidable deaths, but to share that learning with those in trusts up and down the country so that they can take a clear look at what is going on under their noses, and ensure that the terrible incidents that we have seen in the past do not happen again.

The hon. Lady was wise to raise the issue of training. It is important to have specialist practitioners, but it is also important to ensure that all healthcare staff, throughout the country, have the training that they need in order to recognise and support the needs of people with learning disabilities. That is something that we have done very successfully with dementia: we record the number of staff in the country who have received tier 1 and tier 2 training, and we are looking into how we can extend that to address the issues of people with learning disabilities.

Theresa Villiers (Chipping Barnet) (Con): In learning lessons from these truly horrific cases, will the Minister commit herself to working closely with the charities that do such incredible work to support people with learning disabilities and their families?

Caroline Dinenage: My right hon. Friend is absolutely right. Charities and voluntary organisations all over the country do remarkable work, supporting not only people with learning disabilities but their families and their carers, for whom instances involving their health and wellbeing can be incredibly distressing.

Sir Vince Cable (Twickenham) (LD): The Minister’s statement quite properly focused on hospitals, but does she acknowledge that charities dealing with people with learning disabilities will be among the worst affected by the £400 million back-pay charge? Will she try to ensure that the Government absorb that cost, so that the improvements in hospitals are not upset by a deterioration outside, in communities?

Caroline Dinenage: We are looking very carefully at the issue of sleep-ins, and are communicating with social care providers and others. It is important to recognise that we need to support not only the sector as a whole, but the many low-paid workers within it. We will present more proposals on sleep-ins shortly.

Mrs Maria Miller (Basingstoke) (Con): The biggest challenge that many learning-disabled people have is simply making their voices heard. Their legal entitlement to advocacy is not always upheld by health professionals, who often misunderstand that entitlement. Will the Minister look into the commissioning of advocacy services, and, indeed, the understanding of the Equality Act 2010 among NHS staff, to ensure that more learning-disabled people have access to organisations such as Speakeasy Advocacy in Basingstoke, which supports more than 600 people with learning disabilities in north Hampshire, helping to give them the voice that they so badly need?

Caroline Dinenage: My right hon. Friend is a fantastic champion for equality issues in her role as Chair of the Women and Equalities Committee. I take on board everything that she has said, and I will certainly look more closely at the issue that she has raised.

Liz Kendall (Leicester West) (Lab): The true disgrace is that none of this is new and we have been here before. Five years ago the Government set out their promises to tackle this appalling death by indifference, yet we have seen no progress. Can the Minister tell me how many hospitals regularly ask the four questions on
towards addressing this very issue.

Caroline Dinenage: The hon. Lady is right that this issue was identified a few years ago. The report was commissioned in 2015 and has been in the making since then. There was a Care Quality Commission report in 2016 which concluded that bereaved families do not often experience openness and transparency. Everything we have done up until this point—the mortality review, the learning from deaths programme and all the other things we have put in place with regard to the transforming care programme and annual health checks—is geared towards addressing this very issue.

Dr Sarah Wollaston (Totnes) (Con): The learning disabilities mortality review programme sets out the stark and unacceptable health inequalities faced by those with learning disability, and I welcome the steps the Minister has set out today. May I press her further, however, on the point about workforce shortfall? What is she going to do not only about recruitment, but about retention of the vital workforce in both health and social care?

Caroline Dinenage: My hon. Friend is absolutely right that the workforce in our health and social care system is absolutely fundamental to the way we look after people in our country. We must be able to attract, recruit, retain and bring back into the system people who have left it. We are currently compiling a workforce strategy jointly between Skills for Care and Health Education England, and it will be reporting later in the year.

Melanie Onn (Great Grimsby) (Lab): Parents come to me all the time expressing their grave concerns about what will happen to their children with learning difficulties and disabilities if they are not around to support them. In my constituency I have had reports of instances of bullying from other people in the community, of targeting by drug dealers and of exploitation by private companies such as mobile phone providers and utility companies, and that there are difficulties accessing mental health support. If the Minister is truly keen to show the Government’s desire to improve on the current appalling state of affairs, do not early support and state responsibilities need to be looked at more closely as well?

Caroline Dinenage: The hon. Lady is right to make the point more broadly, rather than just about the healthcare outcomes for people with learning disabilities. We need to look at how we protect people more broadly, and this issue must particularly be a terrible worry for the ageing parents. I take on board what the hon. Lady said, and we will definitely feed it into the system to see what more we can do in support.

Sir Desmond Swayne (New Forest West) (Con): What should the CQC be doing that it is not doing already?

Caroline Dinenage: The CQC conducted an inquiry into this issue in 2016 and has a responsibility to check local healthcare provision to ensure it is up to speed. When local trusts start publishing their learning from deaths data from June, the CQC will be able to inspect them on how they bring the data forward and to judge them on that information.

Mr Ivan Lewis (Bury South) (Ind): Societies and Governments should be judged by how they treat the most vulnerable. As well as avoidable deaths of people with learning disability, we have savage cuts to services across the country, so they have no constructive positive activities to participate in, and we have a complete dearth of employment opportunities now for people with learning disabilities. I started my working life 36 years ago working with people with learning disabilities, and we made tremendous progress over a 20-year period. It is a source of tremendous sadness that we have gone backwards in the last 10 years in the support that such people and their families are receiving. It is shameful. We need a cross-Government approach and we need action, not strategies.

Caroline Dinenage: It is sad that the hon. Gentleman has sought to politicise this issue. It is nothing to do with funding cuts or cost-saving measures. We have actually invested more money into this programme. We are the first Government in the world to publish a learning from deaths programme so that healthcare trusts are held accountable and have to publish their data on people who die unnecessarily in their care. Making short-sighted party political points is therefore very unfair and does not get to the heart of the issue, which is about supporting people with learning disabilities and making sure that their health outcomes are the same as those of the population as a whole.

Mr Mark Harper (Forest of Dean) (Con): The all-party parliamentary group on learning disability, which I have the honour to chair, will be looking at this area of policy later this year. Mencap, which provides the group’s secretariat, has a Treat Me Well campaign, which is about improving the position, and I know it is keen to work with the NHS. Drawing on some of the other questions, may I ask the Minister what she can do to get the NHS and all the providers to act with a real sense of urgency in making improvements in this regard with the speed that we would like?

Caroline Dinenage: My right hon. Friend is right to raise the Mencap report, because in many cases it reflects the recommendations that have been put forward in this particular report. The mandate to NHS England requires a reduction in the health gap between people with mental health problems, learning disabilities and autism and the population as a whole, and requests support for them to live full, healthy and independent lives. That is something that NHS England has a mandate to deliver, and we of course support it in doing that.

Karin Smyth (Bristol South) (Lab): If it is a crime to politicise the vulnerability of some people and the Government’s cuts, I stand guilty as charged. Further to the question from my hon. Friend the Member for Leicester West (Liz Kendall), what we have seen since 2013 is the complete decimation of services working together on the ground. This is a local government and
health issue locally, so may I press the Minister to tell us what action will be taken to make this happen at local level?

Caroline Dinenage: It is not about that. This is about inquiring into the deaths of people who have died in our care. Despite all the really difficult decisions we have had to make to deal with the financial challenges this country faced, which the hon. Lady’s party will be well aware of, we have made progress on this issue in terms of transforming care and the healthcare checks on people with learning disabilities, and this very report on the learning from deaths programme proves how absolutely committed we are to ensuring that not one single one of those deaths goes unrecognised or uninvestigated.

John Howell (Henley) (Con): Surely the quicker integration of the NHS with social care across the board will help to solve some of these problems. Does the Minister agree with that?

Caroline Dinenage: Yes, my hon. Friend is absolutely right. The integration of health and social care services is absolutely vital, and that is why we are so delighted that we have renamed the Department as the Department of Health and Social Care. That has to be more than just a title; it has to be a statement of intent.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): Last October, I secured a Westminster Hall debate on supporting and safeguarding adults with learning disabilities, following the horrendous murder of my constituent, Lee Irving. Following that debate, what reassurance can the Minister give me that one of the major lessons coming out of that case—that families must be involved in the decision making about a person’s care—has been learned?

Caroline Dinenage: I thank the hon. Lady for raising that case. It was a truly horrible case. The Mental Capacity Act 2005 is all about making sure that we have care that is centred around the individual, and that parents’, families’ and carers’ thoughts are taken into consideration when making decisions about how we care for people.

Victoria Prentis (Banbury) (Con): We can be confident that the right legal framework is now in place, with the Equality Act 2010 and the Health and Social Care Act 2012, but what further steps can the Minister take to ensure that those who work in NHS organisations are aware of them?

Caroline Dinenage: Of course it is the responsibility of individual employers to ensure that their staff are appropriately trained and competent to fulfil the responsibilities that we ask of them, but we have commissioned Health Education England, Skills for Health and Skills for Care to develop a learning disabilities core skills education and training framework, which sets out a tiered approach to that kind of training and how it needs to be improved.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): This review should shame us all. If we reflect on Sir Stephen Bubb’s final reports from two years ago in 2016, following a report he wrote in 2014 when there had been no progress, we can see that he put forward 10 recommendations. We have seen little or no progress on any of those recommendations. One of them recommended the introduction of the commissioner for learning disabilities, and we need that to happen if we are to see real progress and change. Will the Minister now take that important recommendation forward?

Caroline Dinenage: The hon. Lady is right to raise that, but I will point out that we commissioned the review to examine the situation. We are not running away from our responsibilities; we are standing up and facing them. We are allowing them to be entirely transparent and out there in the public domain for people to judge. The deaths that the report covered come from the period starting July 2016, so they are historical, but it is important that they are examined. The hon. Lady is right to mention the issue of the commissioner, and I will look at that.

Kevin Foster (Torbay) (Con): While the review’s conclusions make difficult reading in some ways, it is welcome that it happened, given that it is a world first and that it gives us the chance to have this discussion. What work will be done with councils and other third sector partners on taking away some of the lessons that can be learned from the review?

Caroline Dinenage: My hon. Friend is right to say that this is the first time in the world that such a review has been done. We are the first to have a learning from deaths programme and a Healthcare Safety Investigation Branch, so we take such things incredibly seriously. The whole point of the learning disabilities mortality reviews is that the information will be disseminated to local trusts so that they can make plans to avoid such disastrous, tragic incidents happening in the future.

Lilian Greenwood (Nottingham South) (Lab): The gap in life expectancy for people with learning disabilities is deeply troubling. Last week, and at Health questions earlier, the House discussed cancer screening and the need to improve screening opportunities. The Minister will know that screening participation rates among people with learning disabilities are far below those for the general population. What specific actions is she taking to address that gap?

Caroline Dinenage: The hon. Lady is right to raise the inequalities of diagnosis of conditions and illnesses for which catching them early can mean the difference between life and death. That is why we have introduced annual health checks for people with learning disabilities. They mark a huge step forward and will help to reduce recognised health inequalities and ensure that reasonably adjusted care needs are much better communicated to other NHS partners.

Chris Skidmore (Kingswood) (Con): As a Bristol-area MP, I thank the University of Bristol for its rigorous review, which marks a milestone in increased transparency and in setting out appalling healthcare inequalities. I note with interest that the review recommends efforts to improve awareness of the signs of sepsis and pneumonia in patients with learning disabilities in the NHS. Will the Minister reassure the House that the NHS will take up that recommendation urgently?
Caroline Dinenage: Yes, specific work on early detection of the symptoms of sepsis, pneumonia, constipation and epilepsy and on the effective use of the Mental Capacity Act 2005 in urgent care settings is already under way.

Liz McInnes (Heywood and Middleton) (Lab): The front page of the report is clearly dated December 2017, so will the Minister clarify and explain why, as she has stated today, her Department did not have sight of it prior to its publication?

Caroline Dinenage: I completely hold my hands up. I am not trying to mislead the House in any way. It is an independent document and the University of Bristol decided when it was going to be published. It was published on Friday without permission from or any kind of communication with the Department of Health and Social Care. I do not know what communication the university had with NHS England, but no information was passed to us. The beauty of having an independent document is that it can be published when the organisation sees fit and the Government will have to respond to it.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): During my career as a paediatrician, I have seen huge improvements in the care of children and young people with severe and moderate learning disability, many of whom have survived into adulthood when that would not have been the case years ago. Owing to the association between severe and moderate learning disability and other medical problems that may limit someone’s lifespan, it is unlikely to ever be equal to that of the general population, but we should always ensure that the care of the most vulnerable in society is as good as it can be, and I welcome the steps that the Minister is taking to ensure that it is. Such people are cared for jointly in hospitals and in the community, so will she confirm that hospitals and community care will work together following such reviews?

Caroline Dinenage: This is something that my hon. Friend, as a healthcare professional, obviously knows an awful lot about. She is right that a person having the ability to communicate, understand and identify when they do not feel well is important. These annual health checks, which are available to children from the age of 14 and into adulthood, are important because they enable any healthcare issues to be disseminated and communicated much more effectively between different healthcare and other providers.

Mike Amesbury (Weaver Vale) (Lab): Can the Minister guarantee that future publications of such sensitive reports will be done in a timely manner and given proper parliamentary scrutiny?

Caroline Dinenage: I will certainly put that request to NHS England. It was not in our interest for the report to be published on Friday. This is an independent review, but it would have been much better for us to have had foreknowledge of its publication. We would then have brought a statement to the House. We will pass on the hon. Gentleman’s comments to NHS England.

Rachel Maclean (Redditch) (Con): Sepsis has already been mentioned by my hon. Friend the Member for Kingswood (Chris Skidmore). Is the Minister aware that the mortality rate for sepsis in the Worcestershire Acute Hospitals NHS Trust has experienced a remarkable turnaround from 49% above the national average to 26% below the national average? Will she look at some of the best practice that is down to the hard work of the doctors and nurses, the awareness-raising campaign and all the other education work happening in that hospital, and disseminate it more widely to benefit such patients?

Caroline Dinenage: I thank my hon. Friend for raising that important issue. Sepsis is a silent killer. If not identified early, it can lead to life-changing implications or death. She is right that we have made great steps in addressing sepsis. Only a couple of weeks ago, we launched a new e-learning tool to help healthcare professionals better identify the symptoms of sepsis, particularly in children, so they can tackle it early.

Diana Johnson (Kingston upon Hull North) (Lab): The Minister has spoken a lot about being committed to improvements in this area. Does she think it is acceptable that she did not know a report in this important area was to be published on Friday? Why did she not come to make a statement today, rather than waiting to be summoned to the House by my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley)?

Caroline Dinenage: What is unacceptable is that people with learning disabilities have poorer health outcomes than the rest of the population, which is why NHS England commissioned this piece of work and why we are determined to address it.

Kate Green (Stretford and Urmston) (Lab): What steps is the Minister taking to ensure that people with learning disabilities can confidently access good quality sexual health services? What work is she doing with her counterparts in the Department for Education to ensure that young people with learning disabilities receive excellent sex and relationships education?

Caroline Dinenage: This is an important aspect, and I will get in touch with the hon. Lady with a more detailed answer to her question.

Stephen Lloyd (Eastbourne) (LD): This is a shocking report, and its conclusions demean us all. A lot of people on both sides of the Chamber have asked the Minister and her Department to come up with some actions. Rather than just talking about it, will she commit today to coming back to the House with a specific action plan to prevent and change what has been an absolutely shocking situation for many decades?

Caroline Dinenage: The hon. Gentleman is right to say that this has been a shocking situation for many decades, which is exactly why this report was commissioned so that we can learn from past errors and identify how to stop them ever happening again. There are nine recommendations in this report, and we will work with NHS England on how to adopt every single one of them.

Stephen Lloyd: Will you bring it back to the House?

Caroline Dinenage: Of course.

G4S: Immigration Removal Centres

4.14 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab) (Urgent Question): To ask the Secretary of State for the Home Department if he will make a statement on the renewal of G4S’s contract to run the Brook House and Tinsley House immigration removal centres.

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): The Government have agreed a short-term continuation of G4S’s contract to run the Gatwick immigration removal centres while further work is carried out to identify a long-term manager. The Home Office will launch a further, full competition later this year, after the outcome of two independent reviews. The contract for the management of Brook House and Tinsley House, which was due to expire this month, was put out for tender in November 2016. However, after careful consideration of the bids, it was decided that G4S would continue with the contract for a further two years. This will provide sufficient time to reflect on the two independent reviews’ conclusions, conduct a new procurement exercise, and mobilise the successful provider. As with any procurement process, the Home Office has undertaken a robust evaluation of all bids, supported by a comprehensive due diligence process.

I recognise that the Government have taken this decision against the backdrop of the BBC “Panorama” programme on Brook House, which was broadcast in October last year. The previous Home Secretary made it clear at the time that the behaviour on display from some G4S staff was utterly unacceptable and set out our expectation that G4S would take urgent action to address the serious issues the programme uncovered. G4S has put in place a comprehensive action plan and this has quickly delivered improvements at Brook House.

My right hon. Friend the Immigration Minister has met G4S to review progress, and visited the two Gatwick centres on 18 January.

Detaining those who are here illegally and who refuse to leave voluntarily is key to maintaining an effective immigration system. But regardless of status, all immigration detainees must be treated with dignity and respect. Please be assured that we will always demand the highest standards from those we entrust with the safety and welfare of those in detention.

Ms Abbott: Is the Minister aware of the concern that the Government put out news of the renewal of the G4S contract on the Friday between local elections and a bank holiday? There must be a suspicion that the Government were hoping to escape scrutiny—the fact that the contract was renewed at all is an even greater scandal.

The Minister mentioned the “Panorama” programme, but is she aware of a whole list of scandals in which G4S has been involved? In 2016, the BBC’s “Panorama” programme also uncovered alleged abuse and mistreatment of youngsters at a G4S youth detention centre; in November 2017, an independent report found surging levels of violence were “unsafe”; another G4S facility, HMP Birmingham, was hit by riots in December 2016; and G4S was fined at least 100 times for breaching its contract to run prisons between 2010 and 2016. There is also the very well-known case of father of five Jimmy Mubenga, who died under restraint on a British Airways plane while being deported. Several witnesses said he was held down in his seat for more than half an hour by G4S guards. His cries that he could not breathe were ignored until he actually stopped breathing. A 2011 inquest ruled his death unlawful. We have seen with the Windrush scandal that the public want an immigration system that is fair and efficient, and that bears down on illegal immigration, but they also want an immigration system that is humane. Many will feel that, given what people know about G4S’s record, renewing this contract, even for two years, is not commensurate with a humane system of dealing with migrants.

Victoria Atkins: I thank the right hon. Lady for the urgent question. Let me reassure her that the decision to re-award the contract was taken during purdah and so we announced this on the first available opportunity after polling day on Thursday—the announcement was made on Friday. I hope that assuages her concerns as to why this has not happened more timeously. I am very conscious that I am being scrutinised here in the House, so I do not think the Government can be accused of escaping scrutiny.

As for the re-procurement process, it is precisely because we want to ensure that the long-term contract for these centres is dealt with in the way we expect that we have put in place this short-term continuation, for a period of two years. That will enable us to consider carefully the results of the independent reviews conducted by Stephen Shaw and Kate Lampard, and then build the procurement process. At the risk of striking a tone that is unusual to hear in the Chamber, we can agree across the House that we wish to have an immigration system that respects those who abide by the rules and that treats people fairly and with dignity and respect.

Crispin Blunt (Reigate) (Con): Does my hon. Friend agree that there are serious challenges in both the immigration and the prison custodial sectors, whether run publicly or privately? I wish to go immediately from here to listen to a discussion on substance misuse in prisons that is being held by the drugs, alcohol and justice cross-party parliamentary group. If, like me, my hon. Friend has read the annual report of Brook House IRC’s independent monitoring board, she will have seen that the board in no way at all came to the same conclusions about the merits of G4S as the right hon. Member for Hackney North and Stoke Newington (Ms Abbott).

Victoria Atkins: I note that the independent monitoring board report noted the commitment of staff to the provision of a safe environment and included recommendations to improve the safeguarding of vulnerable detainees. Shortly, my right hon. Friend the Minister for Immigration will write to the chairman of the independent monitoring board, because that board plays such an important part. It is made up of members of the public who independently review these institutions, as similar boards review institutions across other parts of the immigration and prison system. Their role is so important in ensuring that the rules and standards that we expect are maintained by those who are entrusted with such responsibility.
Joanna Cherry (Edinburgh South West) (SNP): The independent monitoring board also found that the use of force against people in Brook House increased by more than 160% in the two years between 2015 and 2017. Was the Home Secretary aware of that finding in the independent monitoring board’s report before he announced the renewal of G4S’s contract? If so, why did he renew it? These immigration detainees are not criminals, and there is growing anger at the Government’s policy of detaining them in detention centres without any fixed time limit. Will the Minister commit now to allowing Parliament a vote on this inhumane and unjust policy?

Victoria Atkins: The new Home Secretary has reviewed the evidence put before him and agreed with the short-term extension of the contract. We are clear that, following the two reviews that we hope will report over the next few months, we will be able to ensure that the procurement process meets the expectations of the House and of those outside it.

On G4S, as soon as the “Panorama” programme was aired, the Government set out clear expectations in our action plan. We have carried out a range of actions to meet the expectations set in that action plan, including improved training for staff and enhanced staffing levels, with recruitment and training plans in place.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I commend the Minister for the Government’s having taken swift action following the appalling “Panorama” programme. These immigration centres contain many vulnerable people. Feltham young offenders institution became the first autism accredited penal establishment in the world, and it found that that helped greatly. Will the Minister look into the possibility of rolling out that programme, particularly across the immigration estate, so that we can develop and implement standards by which we can protect vulnerable people in a custodial environment?

Victoria Atkins: Of course, my right hon. Friend has campaigned effectively for a long time on the importance of recognising autism and how we should treat it. Stephen Shaw set out in his 2015 report his concerns about adults who were vulnerable or at risk in the custodial environment. Indeed, that is why he has been commissioned to write a second report—a follow-up review—on the welfare of vulnerable detainees. I very much look forward to reading that report and its conclusions in due course.

David Hanson (Delyn) (Lab): How much did the abortive tender process cost the taxpayer, and were there any bidders, other than G4S, for the initial contract when it was offered up for renewal?

Victoria Atkins: With regard to the original procurement process, due diligence was conducted, as would be expected, after the bids were received. In the light of the “Panorama” programme, further due diligence was conducted, and, as a result of further due diligence into the process, the Government have decided that the procurement process should be reopened so that all the actors in this field can take into account the two reviews that we are awaiting this year.

Giles Watling (Clacton) (Con): Where there is bad practice, it is important that staff are empowered to speak out. Will my hon. Friend tell me what G4S is doing to ensure that secure whistleblowing procedures are in place?

Victoria Atkins: That is one of the requirements in the action plan that the Government set G4S after the programme. We are very clear that whistleblowers are essential to ensuring that problems are brought to light effectively and quickly. As part of the action plan, G4S has reinforced its whistleblowing policy. All staff have been issued with cards featuring telephone numbers to enable them to raise concerns confidentially, and following work with the Jill Dando Institute, G4S has trained staff to become “speak out” champions, promoting and embedding the message that whistleblowing is not just desirable, but a clear expectation when unacceptable behaviour is witnessed. In addition, there is also the introduction of body-worn cameras, which serve, I hope, to reassure the House and others that there is transparency and that, if there are allegations, we can very quickly get to the truth of them.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I welcome the fact that this is a time-limited renewal. The Minister will know that many of those who are detained in these centres are there following the refusal of their applications for asylum. She will have seen the report on the BBC website today where one Home Office caseworker describes that system as being “arbitrary” in its outcomes. When it comes to the point that we renew this contract, or whatever follows it after the reviews, will the Minister give us some guarantee that we will look at not just the detention but the whole system that leads people to that point?

Victoria Atkins: The right hon. Gentleman will appreciate that, last week, the Home Secretary set out in two statements before the House his vision for immigration policy and the principles that he expects to be applied to immigration policy. Taking into account the reviews that are being conducted, I am sure that those principles will be very much at the forefront of his mind.

Sir Desmond Swayne (New Forest West) (Con): What is the mode, the mean and the median time spent by the existing cohort of detainees at the Gatwick detention centres?

Victoria Atkins: I think that I am grateful to my right hon. Friend for his question. Let me just put the matter into context: 95% of individuals liable to removal from the UK at any one time are not detained and are therefore managed in the community. With regard to the time that people spend in detention, 63% of detainees left detention in under 29 days in 2017 and 92% left within four months.

Paul Blomfield (Sheffield Central) (Lab): Following the Brook House scandal, I asked the Cabinet Office whether G4S had been considered for designation as a high-risk supplier, but I was stonewalled with the answer that such information is not published. Given that what we saw at Brook House was an appalling, comprehensive and systemic management failure, will the Minister explain what constitutes high risk?
Victoria Atkins: I hope that the hon. Gentleman will understand that I am not privy to that set of correspondence between him and the relevant Minister. The action plan put in place with G4S was demanding. Indeed, out of that plan, a new manager was appointed, nine members of staff were dismissed and a range of measures were put in place with regards to staffing levels, body-worn cameras, training and whistleblowing procedures. The company’s drug strategy was also improved as part of the action plan to try to get to the nub of what was shown in “Panorama”, but I want to be absolutely clear that the actions shown in that programme were simply unacceptable.

James Cartlidge (South Suffolk) (Con): In the Windrush debate, I think that there is now a growing recognition on all sides that our immigration policy needs to show that it balances humanity with a robust ability to deal with those who are here illegally. The contract with G4S was a short-term award, but does my hon. Friend agree that, when the contract is awarded on a long-term basis, those bidding must demonstrate that they understand that and can deliver it?

Victoria Atkins: Very much so. The competition will be a free and fair one, in that bidders will be expected to show that they can meet the expectations of the Government and others when it comes to quality, financial stability and price.

Andy Slaughter (Hammersmith) (Lab): Incidents of serious violence and cover-ups in G4S-run institutions such as Medway secure training centre go back at least 15 years. Indeed, G4S sold what it called its children’s services business, which seemed like an admission of failure on its part. Why, then, would the Government give the company an extra two-year contract? What other ideas did they consider? Did they think about taking the service back in-house, as they have done in previous cases of failure by private providers?

Victoria Atkins: The hon. Gentleman talks about simply taking matters back in-house, but we have to acknowledge the complexity of providing services to people who often have vulnerabilities. When these people are in the centres, they may well be pursuing live claims on their immigration status themselves. Given the need to continue to provide these services at the standards that we expect, the view was taken that we would extend the current contract by two years, thus enabling a proper procurement process to occur in the light of the two reviews and allowing a decision on the next contract to be taken in good time and with care.

Kevin Foster (Torbay) (Con): Where there is bad practice, it is of course important that staff who witness it feel empowered to speak out. How has the Minister satisfied herself that G4S has appropriate whistleblowing procedures in place to allow that to happen?

Victoria Atkins: The need for G4S drastically to improve its whistleblowing procedures was part of the action plan. As I have set out already, G4S has taken various steps, including embedding the culture of making available telephone numbers that enable people to raise their concerns confidentially and training staff to be “speak out” champions—promoting and embedding the expectation that staff will speak out. In addition, body-worn cameras help to take the burden from people who may be worried about reporting. Of course, the independent monitoring board has an important role in ensuring that there are people who inspect and are monitoring the behaviour of the staff and organisations in this world.

Catherine West (Hornsey and Wood Green) (Lab): There was a criminal investigation following the scandal highlighted by “Panorama”. Will the Minister tell us what happened following that investigation? Have people been punished? May I also press her on the question of this House having a vote, so that this country can be brought in line with other European nations where there is a 28-day statutory limit on the time for which people can be held in such facilities? Far too many people detained in such facilities should be in the community, not in detention centres.

Victoria Atkins: On the hon. Lady’s query about police investigations, allegations were passed to the police. I understand that there is one case where an investigation is ongoing. I cannot assist the House further on that, I am afraid. Indeed, given that that is the case, perhaps I should not be commenting on it anyway.

On the wider point about time limits, this is a matter that the Home Office reviews and looks into very carefully. The vast majority of people who challenge the requirement to remove them under their right to remain status are in the community already. The fact that most detainees left detention in under 29 days should, I hope, offer her some comfort, but of course we must always look at how we can improve that figure further.

Bim Afolami (Hitchin and Harpenden) (Con): The Minister will have heard from all parts of the House the shock at these revelations. Bearing that in mind, will she confirm that there have been substantial changes to the practices at Brook House since these revelations have come to light and set out what oversight the Government will have over G4S during the contract extension period?

Victoria Atkins: I thank my hon. Friend for his interest. An action plan was put in place in that included appointing a new manager and dismissing nine staff, enhancing staffing levels with recruitment and training plans, introducing body-worn cameras for staff to provide more transparency and assurance, refreshing and promoting whistleblowing procedures, putting in place an improved drugs strategy, and commissioning an independent review led by Kate Lampard to look at the root causes of the issues highlighted that is expected to report this summer. In addition, the Home Office monitors this continuously. Indeed, the Home Office has strengthened its staff numbers at the centres to try to help on a casework basis people who may wish to return voluntarily.

Clive Efford (Eltham) (Lab): G4S’s performance in how it delivers public contracts is woefully inadequate, and not only in the Prison Service. G4S runs the transport service for my local hospital. Last week, I had to go to rescue a 94-year-old relative from a discharge area full of patients who had been waiting over five hours for G4S to turn up, and this is a regular occurrence. I am a governor of a school where G4S consistently fails to deliver on the school maintenance contract. When are
the Government going to get a grip and deal with G4S, because there is something fundamentally wrong at the heart of this company?

Victoria Atkins: G4S is held to account not just by the Home Office but centrally through Cabinet Office reporting requirements. The new procurement process will provide a basis for further progress on all these issues, and the progress of G4S will continue to be monitored very closely.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Morton Hall in my constituency is an immigration removal centre facing significant challenges and issues. Will my hon. Friend update the House on what is being done to improve immigration removal centres including not just Brook House but Morton Hall?

Victoria Atkins: My hon. Friend will know of the issues in her own constituency. Morton Hall is in a slightly different category because it is run by the Prison Service and not by G4S. That reflects the fact that these are people who are being detained in a prison environment awaiting their removal. The Government take very seriously the treatment of people whose immigration status is not to their liking and who have appeals and so on in the process. The fact that the vast majority of people who are liable to removal from the UK are in the community being dealt with through alternatives to detention should, I hope, give comfort to the House.

Dr Rupa Huq (Ealing Central and Acton) (Lab): If “Panorama” shocked the nation with its depiction of racial abuse and choking of detainees at Brook House, the collapse of Carillion like a pack of cards has exposed that the outsourcing model is failing our public services. Why are the Government persisting with this course of action, or on a sunny pre-bank holiday filled with local election results, did they think no one would notice?

Victoria Atkins: I can only assume that the hon. Lady was not in the Chamber when the shadow Home Secretary asked me that question. The answer is that the decision was made on the first available day after purdah. Again, I reflect on the fact that I am standing here at the Dispatch Box being scrutinised.

The fact is that there is a role for private sector involvement in the delivery of services, as long as we ensure that it is about delivering the best public services at the best value for money. I remind the House that this is not a new thing; it did not come about in 2015 or 2017.

Private companies have been helping the Government to deliver various services since the 1990s, including under a Labour Government.

Diana Johnson (Kingston upon Hull North) (Lab): May I say to the Minister that this is an urgent question, not a statement that she has come to the House to make? She has been brought here to answer questions. G4S seems to be able to fail in a variety of contracts, without any consequences at all. There have been failures in prisons, electronic tagging, secure units and now immigration detention centres. When are the Government going to get a grip and sort this out?

Victoria Atkins: As I have said, the Government are awaiting the two reviews that are being conducted, and we will consider those results very carefully. The re-procurement process will be started afresh, and from that, expectations will be set and standards will have to be met.

Kate Green (Stretford and Urmston) (Lab): May I say to the Minister that this is an urgent question, and I am sure not for the last, that the hon. Member for Kingston upon Hull North (Diana Johnson) is correct: this is indeed an urgent question, and on the principle that the House and perhaps those attending to our proceedings like to have a bit of extra information, I can vouchsafe to all present that this is the 465th urgent question that I have been pleased to grant.

Kate Green: I have to say to the Minister that a two-year extension—what she calls a “short” extension—to the contract will seem to many like a reward to G4S for its failure. If she is now reopening and rerunning the tendering process, will she take the opportunity to do that in tandem with a review of the tendering and provision of healthcare services in immigration detention centres, which seem to be woefully inadequate to meet the needs of the very vulnerable detainees who have been mentioned this afternoon?

Victoria Atkins: May I explain the reason why two years has been settled upon? The Home Office has taken the view that that is the minimum period required realistically to revisit the specification, to run a full and legally compliant procurement process, to complete all the relevant governance processes and to mobilise the new services. That timetable is not unusual for a procurement of this sort of value. I will ask the Immigration Minister to write to her on the question about healthcare.
Point of Order

4.43 pm

Dame Cheryl Gillan (Chesham and Amersham) (Con): On a point of order, Mr Speaker. I wonder if you could help me with a situation that has arisen in Buckinghamshire and therefore may be of concern to you.

We were all delighted when my right hon. Friend the Member for Bromsgrove (Sajid Javid) was promoted to the Home Office and my right hon. Friend for Old Bexley and Sidcup (James Brokenshire) took over at the Ministry of Housing, Communities and Local Government. However, that has coincided with the potential reorganisation of local government in Buckinghamshire. Because it is quite hotly contested between having one unitary authority or two local authorities, notices have gone out to ask constituents to feed into the Secretary of State their feelings about the “minded to” decision that he announced.

Unfortunately, the email address given out by the Ministry and printed in all the leaflets that have been distributed throughout the county was based on the name of my right hon. Friend. Friend the Member for Bromsgrove. We were assured that the address would remain open until 25 May, when the decision is due, but despite the assurances from the Ministry, it appears that constituents trying to put in their representations are now getting a bounce-back message saying that the email has address closed. There are no instructions as to who they should now contact and no information given as to why the address has closed. That means that constituents’ views are not getting through to the Ministry on this matter, which, as I know you appreciate, is very important.

What can we do about that? Is there any way we can ask a Minister to come to the Dispatch Box and confirm that the email address will be reopened, or can we ensure that we get an extended period, so that we can put to rights this aberration whereby people have been asked for their opinions, but the wherewithal of giving that opinion to the Ministry has been unilaterally withdrawn without any notice?

Mr Speaker: I am very grateful to the right hon. Lady for her point of order, and for her characteristic courtesy in giving me advance notice of her intention to raise it. This certainly sounds rum, and it is indeed a very unsatisfactory state of affairs. I am very familiar with the issue because, as she suggests, it is of course a matter of concern to my constituents and to hers, as well as to those in other Buckinghamshire constituencies.

I think the effect of the right hon. Lady raising this matter on the Floor of the House is that the gravamen of her concern will be speedily communicated to the new Secretary of State, and an appropriate change must be made. Technology can be very helpful, but if it is dysfunctional or inflexible, it does not aid but obstruct, which cannot be allowed to happen. If people have been told that they have a certain period in which to get across their views by a convenient means, such a means must be available, and if it ceases to be available, it must be restored.

I do not want to tease the right hon. Lady. I have known her a very long time, so I can probably get away with a bit, although she looks a bit doubtful on that score. I just want to say to the right hon. Lady, whom I have known for a very long time—she has been my county colleague for over two decades—that even though she is now a dame, and therefore even more illustrious than she used to be, she is very much in touch, grounded in her constituency and well aware of these matters. That is in stark contrast, I must admit, to one of my great historical parliamentary heroes, Edmund Burke. I remember that I used to rhapsodise about Burke, until Tony Benn said to me, “John, I wouldn’t overdo it if I were you. Burke may have been a great man, but his visits to his constituency were by way of being an annual pilgrimage.” By contrast, the right hon. Lady seems to know what is being said on her watch. I do not know whether she is happy with my answer to her point of order, but that is the answer she is getting.

Dame Cheryl Gillan: Further to that point of order, Mr Speaker. I am most grateful, and I am glad to have given you the opportunity to wax lyrical about one of your heroes. I hope that this will lead to the reopening of the email address, and that the Department will take note so that our constituents can get their message through.

Mr Speaker: The right hon. Lady’s hon. Friend the Member for Croydon South (Chris Philp) is gesticulating from a sedentary position to the effect that he is communicating the thrust of this exchange to the Department now. What a whizz kid the hon. Gentleman is, I am most impressed. [Interruption.] They both look frightfully happy with the product of their endeavours this afternoon.

If there are no further points of order, we now come to the ten-minute rule motion, for which the hon. Member for Mansfield (Ben Bradley) has been so patiently waiting.
Protection of Pollinators

Motion for leave to bring in a Bill (Standing Order No. 23)

4.48 pm

Ben Bradley (Mansfield) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about the protection of pollinators; and for connected purposes.

This Bill would place a duty on the Department for Environment, Food and Rural Affairs, in consultation with local authorities, to bring forward a mechanism for and plan to deliver a national network of pollinator corridors containing spaces rich in wildflower habitat. It would also encourage public authorities to seek opportunities to contribute to the development and implementation of pollinator corridors. There has certainly been a lot of a buzz about bees and insects in recent years. That was a nice one to start with, and I may reach something of a crescendo with the puns later.

Wild pollinators include bees, butterflies, moths, flies and various other insects such as beetles and wasps. More than two thirds of Britain’s pollinators are in decline, including many species of bumblebee, butterfly and moth. Indeed, 35 of the UK’s bee species are currently under threat of extinction. Although they make the headlines most often, it is not just bees that are struggling: 76% of UK butterfly species and 66% of UK moth species are also in decline. The public are very concerned about that decline—indeed, as many colleagues will attest, they often write to their MPs about this issue. In terms of the volume of emails on a specific campaign, this issue and other animal welfare concerns are always among the most popular. I am sure we have all experienced the enthusiastic campaigns of groups such as Buglife and the Wildlife Trusts at our respective party conferences.

Pollinators are facing unprecedented challenges, including climate change, intensive farming, pests and diseases, pesticide use and urban growth. They need food, water, shelter and nesting areas as well as the ability to roam far and wide—as they would naturally, without the barriers placed in their way as a result of urban sprawl. As the concrete jungle grows, their natural habitat inevitably shrinks.

Dramatic losses of wildflower-rich habitat and the fragmentation of the remaining protected spaces are some of the main threats to the survival of many pollinators. A significant further decline in their population would be a disaster for the UK: devastating for our farmers and our food sustainability. It would also have a huge impact on a wide range of businesses that rely on these insect-pollinated crops; our cider producers and food manufacturers, for example, would be hit hard.

Insect pollinators benefit both the yield and the quality of many crops. Studies suggest that their activity is worth nearly £700 million to UK food production annually—equivalent to 13% of the value of our agricultural produce. There is no overall assessment of the current impact of the decline on crop production, but we know that a lack of pollinators is already costing apple growers, for example, millions of pounds each year. A further decline would also devastate our wildflower population and change our biodiversity forever. It is important to note that creating wildlife sanctuaries and protecting the green spaces will not only support our bees and insects; it will also have other positive outcomes for everything else. It will have a beneficial impact on our local communities, and on our individual mental health and wellbeing. That is as significant—if not more so—in deprived areas as in our leafy suburbs. Green spaces are places of tranquillity and provide a space away from the hustle, bustle and stresses of modern life—the more the merrier, in my view.

I met my hon. Friend the Minister for Agriculture, Fisheries and Food recently to discuss the protection of pollinators, which, I was pleased to hear, is a priority for the Government. I was pleased to hear about the positive work under way on the national pollinator strategy—an approach setting out how the Government, beekeepers, conservation groups, farmers and researchers can work towards common goals together.

A 2016 report on the implementation of the strategy highlighted positive progress across its actions, including on habitat creation, public engagement, protecting honey bee health and improving our understanding of this issue. Given the importance and value of pollinators, it is right that we should discuss whether there is a need for further legislation to work alongside the strategy and the powers currently in place. The national pollinator strategy is a 10-year plan, which was published in November 2014. It sets out the Government’s commitment to playing a leading role in improving the status of the 1,500 or so pollinating insects in England. The strategy is an important step in protecting bees and other insects.

It is also important to recognise that current legislation includes the provision to regulate the use of pesticides and provide protection for bees and our most threatened species. Those are all positive steps, but I still believe that more could be done. The strategy covers key issues such as supporting pollinators on farmland and supporting bees and insects across towns, cities and the countryside, but it does not emphasise or plan to support pollinator pathways and corridors. Government support so far has focused on temporary habitats and patches of protected countryside. Although those provide some benefits to pollinators, they do not provide the variety of flora or the nesting habitats required for them to thrive.

The best habitats are fragmented throughout the UK, and insects are still confined to small areas—pollinators are not free to fly as they naturally would, but are often stuck in small pockets without the freedom to roam far and wide. That is especially problematic when we develop on land that does not have the connections and pathways to allow insects and wildlife to move to new areas. Almost a fifth of these habitats have been lost. Independent scientific reviews have identified the loss of wildflower-rich habitats as the likely primary cause of the recorded decline in the diversity of wild bees and other pollinating insects. When we develop on green space, too often we lose the local wildlife. This is where the Bill and pollinator corridors come in.

Charities such as Buglife have been working on solutions to our pollinator problems. One option is something it has called “B-Lines”. B-Lines are a series of insect pathways running through our countryside and towns. Along them stretch a series of wildflower-rich habitat stepping stones, providing support for these species and others. They are effectively a road network for insects. B-Lines provide a framework in which to target large-scale habitat restoration, as well as small-scale pollinator resources. The framework helps to encourage landowners,
The fragment of habitats presents a significant threat to species, as they find it increasingly difficult to colonise new areas, particularly as our climate changes. Where there is more continuous habitat, species can spread faster.

Modelling has demonstrated that targeting support at grassland habitat restoration and creation, and creating a channelled pattern of habitats is the most effective way of promoting species dispersal. The Bill will encourage local authorities to reference and support pollinators within their local plans and local environmental strategies. It will help to ensure the increased delivery of the national pollinator strategy locally and importantly it will promote the B-Lines network as a priority for action.

There are some positive case studies which show that this approach can be successful. On the banks of the River Derwent, east of York, a landowner was inspired by the B-Lines idea and proposed the creation of a new wildflower-rich floodplain meadow. The landowner worked with Buglife to turn a six hectare arable field, where flooding was an issue, into a large wildflower-rich habitat, which acted as a new stepping stone for pollinators on the B-Lines network. In addition, it helps to reduce sediment leaching into the river system. It shows that increasing our wildflower networks can have multiple environmental benefits.

In Kent, commercial orchards within the B-Lines network near Maidstone have been increasing pollinator habitat by changing mowing regimes to promote wildflowers between fruit trees. This is a win-win situation: a simple change that results in increasing habitat for wild pollinators and also helps to increase crop yields.

In the north-west of England one of the B-Line partners, Cumbria Wildlife Trust, is working with Highways England to focus on key stretches of the A66 and A595, aiming to use parts of the highways estate and other land to support pollinators and create B-Lines, increasing wildflower-rich habitat and helping to reduce the fragmentation of existing wildflower-rich areas.

B-Lines also provide an opportunity for Government Departments and agencies to prioritise work for pollinators. Buglife is working with both the Ministry of Justice and the Environment Agency to identify key sites, including prisons, sea walls and floodplains, where wildflower habitat creation could be taken forward. I hope that the Bill will place renewed emphasis on that work. The Bill asks the Department for Environment, Food and Rural Affairs to bring forward a mechanism to deliver B-Lines, including a national map of pollinator corridors, which will in turn encourage local authorities to act to support pollinators. Local authorities are of course best placed to know their local environment, understand specific local challenges and the needs of the local population.

Protecting pollinators involves action by many different groups, including large-scale and small-scale farmers. Farmers have played an important role so far. They are the custodians of much of our natural environment and have generally worked hard to support bees and insects. I want to recognise the work that farmers have played in supporting our pollinators and their crucial role in the success of pollinator corridors, as well as the importance of protecting wildlife for our agriculture and food supply too. Protecting pollinators does not need to be an onerous commitment for farmers, the Department for Environment, Food and Rural Affairs or local authorities. It is an example of an evidence based approach with all-round benefits that need not consume huge resources to deliver an impact.

Local authorities already have a duty to conserve biodiversity under the Natural Environment and Rural Communities Act 2006. The national planning policy framework states that plans should include a strategy for enhancing the natural, built and historic environment and support for nature improvement areas. The Bill is another step towards encouraging local authorities to explicitly reference pollinators within local plans. I am pleased to confirm that it will also involve minimal expenditure for local authorities.

Helping bees and other insects can be easy, as the case studies I mentioned have demonstrated. Whether it is changing the patterns of cutting local verges, decreasing grass cutting in remote areas or working with local charities and housing developers to encourage pollinators in our urban spaces, the Bill does not seek to place a financial commitment on local authorities. Buglife and Friends of the Earth have published a paper that looks at developing local pollinator action plans. The Bill is another way to advance those plans.

You will like this bit, Madam Deputy Speaker. I am going to end on a high. We have an opportunity to make a beeline for the protection and growth of our pollinator population, which I am sure colleagues will flock to support like moths to a flame. DEFRA has been a hive of activity and positive announcements in recent months, and this could add further to their success. There has been a lot of talk and some positive steps. I do not believe that we have been just bumbling along. We must ensure that there is a sting in the tail. Further action must be taken. I had a joke about calling somebody “Honey”, Madam Deputy Speaker, but I will take it out as Mr Speaker has left the Chamber.

Having spoken to colleagues, I know that there is widespread support across the House for the protection of pollinators and for the idea of pollinator corridors. I therefore commend the Bill to the House.

**Question put and agreed to.**

**Ordered,**

That Sir Roger Gale, Sir Oliver Letwin, Dr Matthew Offord, Andrew Selous, Neil Parish and Ben Bradley present the Bill.

Ben Bradley accordingly presented the Bill.

**Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 206).**

**THE SPEAKER’S ABSENCE**

**Ordered,**

That the Speaker have leave of absence on Wednesday 9 May to attend the funeral of the Right honourable the Lord Martin of Springburn, former Speaker of this House.—(Andrea Leadsom.)
Secure Tenancies (Victims of Domestic Abuse) Bill

Consideration of Bill, not amended in the Public Bill Committee.

New Clause 1

DUTY TO REVIEW COOPERATION BETWEEN ENGLAND, WALES, SCOTLAND AND NORTHERN IRELAND

'(1) By the end of the period of six months, beginning with the day on which this Act is passed, the Secretary of State must
publish a review into the potential for future cooperation between local authorities in England, Wales, Scotland and Northern Ireland in relation to the provisions of this Act.

(2) The review under subsection (1) must consider how it may be possible to extend the provisions of the Act to ensure that applications for secure tenancies in cases of domestic abuse—
(a) from Wales, Scotland or Northern Ireland may be considered by local authorities in England;
(b) from England, Scotland or Northern Ireland may be considered by local authorities in Wales;
(c) from England, Wales or Northern Ireland may be considered by local authorities in Scotland; and
(d) from England, Wales or Scotland may be considered by local authorities in Northern Ireland.

(3) The review must be laid before both Houses of Parliament.

(4) In this section, “local authority” means—
(a) in relation to England, the council of a district, county or London borough, the Common Council of the City of London and the Council of the Isles of Scilly;
(b) in relation to Wales, the council of a county or county borough;
(c) in relation to Scotland, the council of a district or city;
(d) in relation to Northern Ireland, the council of a district, borough or city.”—(Melanie Onn.)

Brought up, and read the First time.

5 pm

Melanie Onn (Great Grimsby) (Lab): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to discuss the following:
Amendment 1, in clause 1, page 1, line 9, after “tenant” insert
“and regardless of whether the qualifying tenancy is in the jurisdiction of another local authority”.

Amendment 2, line 25, at end insert—
“(2BA) A local housing authority which grants an old-style secure tenancy under subsection (2A) or (2B) has discretion to decide whether or not the maximum rent for the old-style secure tenancy should be determined according to regulation B13 of the Housing Benefit Regulations 2006 (SI 2006/213) as amended by the Housing Benefit (Amendment) Regulations 2012 (SI 2012/3040).”

Amendment 3, page 1, line 25, at end insert—
“(2BA) A private registered provider of social housing or a housing trust which is a charity that grants a tenancy of a dwelling house in England must grant an old-style secure tenancy if—
(a) the tenancy is offered to a person who is or was a tenant of some other dwelling house under a qualifying tenancy (whether as the sole tenant or as a joint tenant); and
(b) the provider is satisfied that—
(i) the person or a member of the person’s household is or has been a victim of the domestic abuse carried out by another person; and
Wera Hobhouse (Bath) (LD): There is obviously consensus that the Bill is a step in the right direction, and we welcome it, but are there not other barriers to secure tenancies—for example, if debt was incurred in the previous tenancy? Will social landlords have to accept these women? A lot of advice needs to be given, and that is why it is important that the extra services and help are provided.

Melanie Onn: I thank the hon. Lady for that intervention, and I agree: sufficient support should be available across the whole country. Very often, individuals will present with unique circumstances, and legislation cannot provide for each and every eventuality, but making sure that the appropriate training is in place across the country will go some way towards assisting those individuals.

Toby Perkins (Chesterfield) (Lab): I agree entirely with what my hon. Friend is saying about the postcode lottery. When I raised that on Second Reading, the Minister said that I was complaining about an issue that did not exist, but it has become clear from subsequent meetings with Women’s Aid that different local authorities are applying very different interpretations of the rights in terms of housing allocations and local connections, so I support her efforts to ensure more consistency across the piece.

Melanie Onn: I thank the hon. Lady. I am grateful for his intervention and concur with his remarks. Other issues raised by hon. Members have prompted assurances during the Bill’s progress, and I take the Minister at her word and hope the Government live up to her words.

New clause 1 would ensure that cross-border travel does not negatively affect the rights in the Bill. People who flee domestic abuse end up in all parts of the country, but an unevenness in legislation means that domestic abuse victims in the devolved nations are subject to different rights and protections. The new clause seeks to protect the rights of domestic abuse victims countrywide and ensure that travelling from one council area in one country to another in another country does not impede the rights of a domestic abuse victim.

Domestic abuse victims often have little time to plan when fleeing an abusive partner and are unlikely to think that a move to their nearest large town or city might change their circumstances as a victim of domestic abuse, yet that is the reality in places such as Chester and Wrexham. It should be unequivocal that the rights in the Bill travel with the victims. In Committee, the Minister informed me that this matter would be brought up at the devolved Administration roundtable last month in the hope of agreeing a memorandum of understanding between the Administrations.

John Redwood (Wokingham) (Con): I understand what the hon. Lady is trying to do, but I do not think her new clause does it, because it says that the Government should “review” the situation. What powers would she want the Government to take to override devolved Governments?

Melanie Onn: The purpose of the new clause is not to override the devolved Administrations, which is why it calls for a review. If the right hon. Gentleman listens to the remainder of my speech, perhaps it will clarify things for him.

I am pleased to see action to improve cross-border collaboration, but I have not seen any such memorandum. In any event, domestic abuse victims need more than a memorandum of understanding, and we have the opportunity to give them just that right now. I am aware of the sensitivities surrounding devolution, so the new clause does not seek to impose Parliament’s desires on the devolved Administrations, but would instead commit the Government to publishing a review of the domestic abuse policies of each Administration and to working towards ensuring that victims of domestic abuse are treated equally when they move from one nation to another.

Sir Robert Syms (Poole) (Con): Has the hon. Lady written to the Scottish Parliament or Administration, or indeed to the Welsh Government, to ask whether they approve of her new clause?

Melanie Onn: I have relied on the good offices of the Minister, who is in government, to undertake the duties of consultation with the devolved Administrations, which was due to take place, I believe, on 19 April, and we await the distribution of a note on the outcome of those meetings, which was requested but which I have not had sight of as yet.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler): It was emailed to the hon. Lady and all Committee members this morning.

John Healey (Wentworth and Dearne) (Lab): Just in time!

Melanie Onn: I thank the Minister.

Mrs Wheeler: It is dated 8 May. It was sent over the bank holiday weekend.

Melanie Onn: That is an opportune time for materials to be sent, as we found out during the urgent questions this morning. I am sorry I have not seen the note. I am grateful that the Minister has provided it, but it is incredibly unfortunate it was not provided sooner, because the information might well have informed the debate. [Interruption.] The Minister may well wish to provide it to me right now, but I am in the middle of my speech and it would be difficult for me to speak and read at the same time—as good as I am at multi-tasking!

Amendment 1 adds a requirement for a secure tenancy to be offered when domestic abuse victims apply for rehousing in a local authority area different from the one in which they previously had their secure tenancy. In Committee, the Minister said that the amendment was ineffective because the requirement was already provided for in the Bill, but there remains some unease about the current wording. The amendment would provide peace of mind, as prescribed by the Government back in 2016. We must not forget that the sector has been waiting for two years, having been assured by the Government that the requirement would be covered by the Housing and Planning Act 2016. The purpose of the amendment is simply to ensure that we do not end up in the same position again if it turns out that the Bill does not guarantee domestic abuse victims secure tenancies if they end up crossing local authority boundaries.
Ruth George (High Peak) (Lab): I am sure that my hon. Friend, like me, welcomes the fact that tenants who have suffered domestic abuse will be offered secure tenancies, but does she share my concern about evidence given to the Work and Pensions Committee that when local authorities apply to the Department for Work and Pensions for benefits to support a victim of domestic abuse, they are frequently told that it will be several weeks before a decision can be made, and victims are returning to perpetrators because they cannot be guaranteed the funds that would secure their secure housing?

Melanie Onn: That is an important point, and I hope that the Minister will take it on board. The issue needs to be dealt with on a cross-Government basis. The Minister has given repeated assurances that she is engaged in conversation with representatives of other Departments, but there certainly should not be any Government policies that discourage victims of domestic violence from leaving the perpetrators of that violence.

Two thirds of all domestic abuse victims who present themselves at refuges come from outside the local area. We know that housing insecurity is a major reason for the fact that too many victims stay with their partners. The amendment is important, because this issue affects far too many of the domestic abuse victims whom we are trying to help today for us to leave things to chance. For the sake of absolute clarity, I ask the Minister again to accept it. I assure Conservative Members that this is not a matter of policy or politics, but a matter of good practice.

Amendment 2 would ensure that victims of domestic abuse do not have to pay extra charges as a result of the bedroom tax if they are provided with a secure tenancy that incorporates a spare room. There are particularly good reasons why the Government must see sense when considering whether to apply the tax to victims of domestic violence. Victims face all sorts of barriers to leaving abusive partners, and the sad impact is that one in five spends more than 10 years living with an abusive partner. That statistic applies only to women who are able to leave: as we all know, countless women never manage to leave their abusive partners, and every week two women are killed by a partner or ex-partner. That is why we need to knock down as many of the barriers as possible.

The amendment would help to remove some of the financial pressure on people fleeing domestic violence, and will ensure that no one who is considering leaving an abusive relationship has to worry about the extra burden that the bedroom tax could add to their costs. It is a vital amendment, because domestic violence victims often have limited means, and may not be able to take jobs that would enable them to provide for themselves and their families. Many domestic violence victims have been subjected to financial abuse, being forced to quit their jobs and give their money to their abusive partners, and having little control over their own finances. Domestic abuse victims need help, not a cruel and unnecessary tax over which they have no control. I plead with the Government to make an exception to their bedroom tax, and provide the help and support that domestic abuse victims desperately need.

Amendment 3 would ensure that those in housing association properties are given the same rights to secure tenancies as those in council housing. In Committee, I was concerned about the Minister’s seeming lack of appreciation of the variety of council housing available. While I accept that some housing associations fulfil different functions in society from councils providing housing, a number of them represent the sole social housing provision in a local authority. In Committee, the Minister said that “local authorities and housing associations are very different entities, which are subject to different drivers and challenges.”—[Official Report, Secure Tenancies (Victims of Domestic Abuse) (Lords) Public Bill Committee, 27 March 2018; c. 30.]

If someone is a resident of Wakefield, their social housing is managed by the Wakefield and District housing association, which exists to manage the local authority’s housing needs and assets, whereas my own local authority underwent a full stock transfer, with tenancies transferring as per council tenancies. Many housing associations in this country have extremely similar drivers and challenges to council-managed housing, and many people in areas such as Wakefield still think of their housing association house as a council house. This amendment seeks to ensure that such victims of domestic abuse in areas such as Wakefield and North East Lincolnshire are given the same rights and protections as those in council housing.

Mrs Wheeler: Before responding to the specific amendments, I would like to say a few words about a number of the issues that arose in Committee. Also, I am sorry that the hon. Member for Great Grimsby (Melanie Onn) did not get that original letter; I will pass it over to her in a second.

The issue of doctors charging fees for letters of evidence of domestic abuse was first raised in the other place and was raised again on Second Reading and in Committee in the House. In my response, I said that my hon. Friend the Under-Secretary, Lord Bourne of Aberystwyth, had written to the Department of Health and Social Care to raise peers’ concerns about this issue, and following our discussions I can now inform hon. Members that the Department has agreed to include in the remit for the negotiation on changes to the GP contract for 2019-20 stopping GPs charging victims of domestic abuse for the provision of letters or notes of evidence of abuse. This is a negotiation process, so the Department cannot guarantee that the General Practitioners Committee will agree to waive the fee for these services; however, I am sure Members will agree that this is a positive step forward.

I am also aware that concerns have been raised in this House and the other place about a lack of consistancy in training for local authority staff to support victims of domestic abuse. I spoke at length in Committee about the new homelessness code of guidance and the emphasis it places on local authorities ensuring that local specialist
training on domestic abuse is made available to frontline staff and managers. I also spoke about the funding the Department has provided to the National Homelessness Advice Service and the National Practitioner Support Service over recent years to ensure that such training is put in place. I do not want to repeat myself, but I am very pleased that I can update hon. Members about a new initiative that the Department is funding: the London training academy is being delivered by Southwark Council and will provide training for frontline housing options staff and apprentices; people can apply to go there from any council.

As part of the training, Solace Women's Aid is providing domestic abuse champions training to 440 housing staff, and that is the figure across London alone. The focus of the training will be on ensuring housing teams understand the impact of domestic abuse, are clear about their roles in supporting victims and survivors, and are able to refer them to the specialist support they need. Again, I am sure hon. Members will agree that this is a very positive development, and that it demonstrates our commitment to ensure that local authority staff are properly equipped to support victims of domestic abuse and to respond appropriately and sensitively to their needs. I am sure, too, that hon. Members will agree that this is really good news and that the London training academy will provide a model, working with Solace, for frontline staff for how such difficult and sensitive cases should be handled. We would like to see that model filter through to all local authorities.

Wera Hobhouse: Women's refuge places across my constituency, and those other places where women go in the first place, are still very difficult to find. Does the Minister accept that if funding is not provided throughout the whole supported housing sector, the Bill will be doomed to fail?

Mrs Wheeler: Sadly, I think the hon. Lady has misunderstood what the Bill is about. Funding for refuges and other supported housing will be dealt with by 2020 in a different vehicle.

New clause 1 calls for a review into the potential for co-operation between local authorities in England and local authorities in Wales, Scotland and Northern Ireland to include consideration of the scope to extend the provisions of the Bill to apply across the UK. I entirely understand that there will be situations in which someone wishes to escape from one part of the UK to another to get away from an abusive relationship, perhaps to put a safe distance between themselves and their abusive partner, or to move back to where their family and support networks are. I sympathise with the broad intention behind this proposal to increase co-operation between England and the devolved Administrations, and I appreciate that there will be strong support for it. This issue was raised in Committee and also during the passage of the Bill through the Lords. However, I do not believe that this Bill is the appropriate vehicle to achieve that co-operation.

Nor would it be appropriate or necessary to seek to examine the possibility of extending the Bill to make changes to the legislation covering social tenancies in the devolved nations. I do not need to remind hon. Members that housing is a devolved matter. That means that it is for local authorities—or the Housing Executive in the case of Northern Ireland—and social landlords in each part of the UK to decide whether to allow access to social housing and what type of tenancy to grant, in accordance with the law that operates in that country.

Sarah Champion (Rotherham) (Lab): It sounds as though the Minister has set her face against amendment 1. Would she consider issuing guidance to local authorities on this issue?

Mrs Wheeler: That will certainly be part of the package, yes. I will read out the letter as well, because that is the killer punch.

It is likely that most victims who flee from one part of the UK to another to escape domestic abuse and who are in need of housing would apply to a local authority for assistance on the basis that they were homeless. Homelessness legislation will provide a safety net for victims fleeing domestic abuse, even when they flee across national borders, but Wales, Scotland and Northern Ireland have their own homelessness legislation. That means that there may be differences of approach in accordance with the requirements of each devolved area. For example, local authorities in Wales, as in England, may discharge their duty to rehouse using the private rented sector.

The purpose of the Bill is to remove an impediment that might prevent someone who suffers domestic abuse from leaving their abusive situation in England when the provisions under the Housing and Planning Act 2016 come into force. The Act applies only to England. A victim of abuse in another part of the UK will not face the same impediment to fleeing their situation for fear of losing their lifetime tenancy. For example, if someone in Scotland were to flee to another council district within Scotland, the second local authority would grant them a lifetime tenancy if and when they were rehoused.

John Redwood: When I asked the hon. Member for Great Grimsby (Melanie Onn) whether there was a way of overriding the devolved Administrations, she did not seem to understand the question properly, so I am glad that the Minister is explaining that that cannot be done. It is interesting that the Opposition's amendment 3 expressly states that it applies only to England; whoever drafted their amendments probably did understand the point that the Minister is making.

Mrs Wheeler: Parliamentary drafting is not an easy task, which is why people with greyer hair than mine do the job and I do not. I thank my right hon. Friend for making the situation quite clear.

The commencement of the Housing and Planning Act 2016 does not change the situation. I do not believe that it would be appropriate to include a duty in the Bill—which applies in England only—to consider the potential for amending legislation in other parts of the UK. Parliament has already decided that this area of law should be devolved, so it does not seem right to have an amendment that appears to assume that the Secretary of State has some responsibility for it in relation to the devolved Administrations. Clearly, victims of domestic abuse seeking to move from one part of the UK to another is a common issue in which all parts of
the UK have an interest. However, owing to the differences in housing legislation across England and the devolved Administrations, a UK-wide provision in a Bill that is based on an Act that applies to England only is not the correct approach—I am getting to the nub of things now.

During the passage of the Bill in the other place, my hon. Friend the Minister gave a commitment to raise with colleagues in the devolved Administrations the concerns that have been expressed. I can confirm that Lord Bourne met his counterparts in the devolved Administrations on 19 April, and I am pleased to inform Members that he has since written to me to let me know that the devolved Administrations were supportive of the Bill. They have committed to reviewing the impact of the Bill once it comes into force and to let us know about any issues or concerns for victims of domestic abuse should they arise. The letter states:

“I am pleased to be able to inform you that the devolved administrations were supportive of the Bill and could find nothing in it to concern them. This is because they took the view that the Bill had no impact on the ability of social landlords to continue to grant tenancies in their own countries, and they will review the impact of the Bill, together with officials.”

I think that that says it all.

On a more technical note, new clause 1 would not work as currently drafted, because social housing is provided not through local authorities in Northern Ireland but through the Northern Ireland Housing Executive. For that and all the other reasons I have given, I do not consider the new clause to be appropriate or necessary, and I ask that it be withdrawn.

Amendment 1 aims to ensure that the requirement to grant a lifetime tenancy—should a new tenancy be offered—would still apply where the victim of domestic abuse applies to another local authority district to be re-housed. I sympathise entirely with the motivation behind the amendment, and I well understand that victims of domestic abuse may wish or indeed need to put a considerable distance between themselves and their abuser. The Bill is intended to protect all lifetime tenants who are victims of domestic abuse, not only those who need to move from their current home to escape abuse, but those who have already fled from their home. I entirely agree that it is vital that the Bill protects victims who have applied for housing assistance in another local authority district. That is partly why we amended the Bill in the other place to extend it to apply to those who, having fled their homes, may have lost their tenancy or their security of tenure.

We recognise that that may be particularly problematic for those who seek assistance in another local authority area, and I assure the shadow Minister that the Bill has been drafted with that issue in mind. Where the Bill refers to “a local housing authority”, it means that it applies to any and to every local authority in England, just as in the same way it applies to any tenant who has a lifetime local-authority or housing-association tenancy of a dwelling house anywhere in England and who needs to move from that house to escape domestic abuse. That is standard in legislative drafting practice, so local authorities should have no difficulty in understanding what it means. Any amendment to spell that out in the Bill would therefore be unnecessary and redundant.

Mrs Wheeler: The hon. Lady brings up an interesting fact that was not discussed in Committee. I will address the discretionary powers that local authorities have, which might help her with an answer.

Toby Perkins: I welcome the reassurance that the Minister has just given us, but the fact is that different local authorities understand the current legislation and their responsibilities to people fleeing domestic violence in different ways, so what possible harm would it do to include amendment 1 so that there would be no cause for any misunderstanding in future?

Wera Hobhouse: The Minister is being generous in giving way. Under the 2016 Act, housing associations can choose whether to offer a flexible tenancy. What advice will the Government give to housing associations that will not have the same obligation to give a lifetime tenancy if a tenancy moves to another housing association property?

Mrs Wheeler: That is a slightly different clause, which I will come to in a moment. With that in mind, and taking into account the fact that amendment 1 is unnecessary for the reasons I have given, I therefore ask for it not to be pressed.

On amendment 2, I appreciate the concern of hon. Members to prevent further stress and anxiety. Survivors of domestic abuse have already suffered experiences that most of us here can only imagine. However, I do not think the amendment is necessary. The number of households likely to be granted a tenancy under this Bill that would lead them to under-occupy a property, and as a result become subject to removal of the spare room subsidy, is likely to be very small indeed.

Allocating a property that is too big for a tenant’s needs would not be in the interests of the tenant or the landlord. The tenant, if eligible for housing benefit, would see their eligible rent reduced, which would not be in the tenant’s or the landlord’s interest. It would also not be the best use of scarce social housing.
Allocating a property that is too big is not necessarily in the tenant’s interest or the landlord’s interest, and it certainly is not the best use of scarce social housing. Our 2012 allocations guidance clearly recognises that local authorities, when framing the rules that determine the size of property to allocate to different households and in different circumstances, will want to take account of removal of the spare room subsidy.

Where the victim wishes to remain in her own property after the perpetrator has left or been removed, we expect that in most cases it would not result in an under-occupation charge—domestic abuse normally occurs between partners who share a bedroom, so removing the perpetrator would not normally result in under-occupation. Furthermore, if there is any risk it could lead to a victim becoming subject to the under-occupation charge, it will be open to the authority to offer a new tenancy in another, smaller property, or to offer a similar one and take into account the next matter.

In the small number of cases in which, for whatever reason, a local authority grants a tenancy under the Bill in a property that has more bedrooms than the tenant needs, it is open to the tenant to apply for a discretionary housing payment to cover any rental shortfall. Some £900 million of funding for discretionary housing payments has been provided to local authorities since 2011 to support vulnerable claimants, including victims of domestic abuse.

Ruth George: Is the Minister aware that many local authorities put a limit on the amount of time for which discretionary housing payments can be made? Sometimes it is 18 weeks, and sometimes it is as low as 12 weeks, depending on the authority’s budget. Discretionary housing payments is therefore not help families in this situation.

Mrs Wheeler: Indeed. Funding for the years 2018 to 2021 was set out in the summer Budget 2015. Next year, 2018-19, there will be £153 million in the discretionary fund for England and Wales, albeit this is an England-only Bill.

The removal of the spare room subsidy was introduced to ensure that tenants in the social and private-rented sectors are treated on the same basis, to encourage mobility, to strengthen work incentives and to make better use of available social housing. The Government’s policy is not to deal with personal circumstances unrelated to the size of a property by the inclusion of general exemptions to the rules, but rather to take account of a person’s individual circumstances separately, through the process of the discretionary housing payment.

In 2016, the Supreme Court upheld this policy and dismissed a challenge to the removal of the spare room subsidy brought by a victim of domestic abuse on the grounds that it amounted to unlawful sex discrimination. That case involved a victim who was being provided with protection under a sanctuary scheme. The rules on the removal of the spare room subsidy already include an exception for victims of domestic abuse in refuges. We are not minded to provide for any further exceptions.

When local authorities grant tenancies to victims of domestic abuse, they have a choice: they can either ensure that they offer a property that meets the tenant’s needs or they can consider providing a discretionary housing payment. For the reasons I have given, I believe that the amendment is unnecessary and therefore ask that it is not pressed to a vote.

Jim Shannon (Strangford) (DUP): Can the Minister confirm that in areas where rental accommodation is extremely expensive, there is help for those who need discretionary payments in order to make the weekly rental payments? Is this something she is able to do?

Mrs Wheeler: I do not know whether the hon. Gentleman is specifically referring to Northern Ireland or anywhere else—

Jim Shannon: In Northern Ireland, we have a discretionary payment that sometimes enables provision to be made where rents are higher. Is the system similar on the UK mainland?

Mrs Wheeler: Again, I stress that this Bill is England-only, but there are such opportunities. There is a local housing rate and then there are discretionary housing payments that can be made above that.

I come to amendment 3, the final amendment. I fully understand the motivation behind this amendment, which would extend the Bill to housing association landlords—this was the point made by the hon. Member for Bath (Wera Hobhouse), I believe. However, as I said in Committee, we have some fundamental concerns about this amendment. First and foremost, local authorities and housing associations are different entities. Housing associations are private, not-for-profit organisations which make a significant contribution to affordable housing supply. I am sure Members will agree that we all want to see more affordable homes built. It is therefore vital that housing associations remain in the private sector, so that they can borrow funding free of public sector spending guidelines, to build the affordable housing we so greatly need. For that reason, we must avoid imposing any unnecessary control that might risk reversing—

Toby Perkins: I am listening carefully to what the Minister is saying. It very much stands at odds with the Conservative party policy announced in the run-up to the general election, when it was going to impose right to buy on housing associations. How is it that the Conservative party is so happy to remove thousands of houses from the social rental sector when it comes to right to buy, but when it comes to legislation to protect domestic violence victims, suddenly the Conservatives feel that the private sector should not be touched?

Mrs Wheeler: Clearly, what the hon. Gentleman is discussing is outside the scope of this Bill, but we are talking about a voluntary pilot that is starting in the west midlands and we will see where that takes us.

Bim Afolami (Hitchin and Harpenden) (Con): On election manifestos, does the Minister not agree that this Bill is fulfilling a Conservative manifesto promise and that that should be welcomed by Members on both sides of the House?

Mrs Wheeler: I thank my hon. Friend for that very helpful intervention, with which I can only agree.

As I was saying, for this reason we must avoid imposing any unnecessary control that might risk reversing the Office for National Statistics classification of housing associations as private sector organisations. Housing associations grant assured tenancies under the
Housing Act 1988, including assured lifetime tenancies, and will continue to have the flexibility to grant lifetime tenancies as they see fit.

This amendment would bring housing associations back into the public sector regime, which they have not properly been part of since 1989, by requiring housing associations to grant secure tenancies under the Housing Act 1985. That goes beyond the very limited circumstances in which they are still obliged to give a secure tenancy—this is limited to those tenants who already have one predating 1989 and want to move, so this is known and in the books of the commercial housing association. Assured and secure tenancies have different rights. For example, secure tenants have a statutory right to improve their property, and be compensated for those improvements, in certain circumstances. To require housing associations to grant secure tenancies for this group of tenants would mean housing association landlords having to operate two different systems, which would be an unnecessary burden over and above the very limited circumstances in which they still manage pre-1989 tenancies, and would introduce unnecessary additional costs and liabilities. As I have already said, that could risk the re-classification of housing associations.

The amendment is also completely unnecessary: housing associations will continue to have the freedom, which they have now, to offer lifetime tenancies wherever they consider it appropriate. When schedule 7 to the Housing and Planning Act 2016 comes into force, local authorities will generally be required to offer fixed-term tenancies, and will be able to grant lifetime tenancies only in the limited circumstances specified in legislation or regulations. That is why the Bill is so important. The purpose of housing associations is to provide and manage homes for people in housing need. The vast majority are charities, and their charitable objectives require them to put tenants at the heart of everything they do. We expect housing associations to take very seriously their responsibilities for people fleeing domestic violence and abuse.

In previous debates on the Bill, I have mentioned the Domestic Abuse Housing Alliance, which was set up by two leading housing associations, Peabody and Gentoo, along with Standing Together Against Domestic Violence, a UK charity that brings communities together to end domestic abuse. The alliance's stated mission is to improve the housing sector’s response to domestic abuse through the introduction and adoption of an established set of standards and an accreditation process.

I understand that the National Housing Federation, the body that represents housing associations, is actively taking forward work with its membership to tackle domestic abuse, and has recently set up a national domestic abuse group for its membership. The group was set up specifically to raise awareness among housing associations of the steps that they can take to minimise the impact of domestic abuse, as well as of how to spot the signs early and how best to support victims. My officials have been in touch with the NHF, and I am really pleased to say that it has expressed an interest in considering the tenancy issue as part of that work. That is a really positive development, and it adds to the information that I was able to give in Committee. With that in mind, and for the reasons that I have given, I invite Members to withdraw the new clause and amendments. I look forward to more debate.
prove it. If a woman turns up and says that she is a victim of domestic abuse, that should be enough. It was enough when Women’s Aid was based in our local housing associations and in our local housing offices. That is why we desperately, desperately need a firm hand in this and why we must say that local authorities must do this. I love my local authority. I know that Margaret Thatcher’s favourite council was Wandsworth—I personally think that it is weird that someone has a favourite local authority, but I have not tried them all. However, I have tried lots of them, and I have found them completely wanting when it comes to victims of domestic violence needing housing.

Let us add into the mix people who have no indefinite leave to remain. If they go to their local housing office, they will probably be told—even if they are a victim of domestic abuse—that they will not be housed and that their children will be removed from them, because the local authority does not have to house women who have a poor migration status.

There has been a hideous case in Birmingham recently where the children were threatened with removal until people like me got involved. There is a plethora of problems out there, and, with the greatest respect, the £17 million which seems like a lot of money, will put back what has been lost for victims of domestic abuse even in Birmingham alone. That is why we would like to see a bit of mettle in the training of housing officers. Some housing officers are brilliant—there is no two ways about it—but they are up against it. Someone could wait nine hours to see one in Birmingham. We need to ensure that there is a good system that treats these people appropriately. Unfortunately, when an authority has limited resources, its target is not rehouse someone immediately, so there is a definite need for training.

My hon. Friend the Member for Great Grimsby (Melanie Onn) covered the cross-border issue well. Unfortunately, I can see that the Minister does not think it is necessary to include it in the Bill, but I have handled hundreds of cases of women sent across the border. In fact, a woman who lived in the refuge where I used to work took the Government to court on the issue of cross-border living between Sandwell Council and Birmingham Council. The fact that a person no longer has to live in an area for whatever period it was—Birmingham said it was five years—is not thanks to anyone in this Chamber; it is thanks to charities and activists outside who bothered to take us—the decision makers—to court.

On the bedroom tax, it may well seem like a small number of women who will end up in a property that is too big for them. But I have seen many cases—I am handling one now—where women are rehoused and their children are removed from them. In cases of domestic abuse, it is utterly common that children are removed, for whatever period of time. These women then have to pay the bedroom tax, lose their property and end up in a one-bedroom flat. The judge in the family court then says, “You don’t have a house big enough to have your children back. You’re not good enough. We can’t give your children back to you.” That happens a lot. It is not a small number of women who have their children removed in domestic violence cases. The vast majority of cases going through the family courts include domestic violence, and many women end up with their children removed for periods of time that would definitely result in them being affected by this bedroom tax loophole. We should definitely consider what we can do to amend that problem today.

**Melanie Onn:** The minimisation of the issue around the bedroom tax seems to be due to the fact that the Bill is predicated on an example of someone with a stable and consistent life. But at the point that these people present at a housing office, their life will not be consistent or stable at all, which is why we need to amend the Bill.

**Jess Phillips:** I absolutely agree. If we could get our housing and welfare systems, which have become fragmented—and were never perfect, don’t get me wrong—to work better together, at least people would have a fighting chance of understanding what the hell they were meant to be doing, because it is a bit confusing at the moment. My hon. Friend is completely right that we are talking about people in chaos.

A tiny fraction of victims of domestic violence present as homeless. The vast majority either stay or end up in refuge, and they will likely have help in those circumstances to get them through the process. But we have to do better for those who turn up the housing office. We have to ensure that local authority staff have a much clearer understanding of this cross-border issue, because the triumph of hope over experience has left many people unhoused.

**Mrs Miller:** It is a great pleasure to follow the hon. Member for Birmingham, Yardley (Jess Phillips), my fellow member of the Women and Equalities Committee. Of course she speaks with great power on these issues, given her experience. We also heard a great deal from the Minister to give us reassurance about how much work the Government have done to ensure that this Bill is the best that it can be and that it further supports victims of domestic violence—something that this Government have made a huge priority. I congratulate the Minister on all that she is doing to ensure that the situation improves ever further.

I will make some short comments about the amendments, because I think that the Bill generally has cross-party support. A lot of what the hon. Member for Great Grimsby (Melanie Onn) has outlined. Ministers clarified that individuals which the hon. Member for Great Grimsby (Melanie Onn) has outlined. Ministers clarified that individuals would definitely result in them being affected by this bedroom tax loophole. We should definitely consider what we can do to amend that problem today.

**Jess Phillips:** I absolutely agree. If we could get our housing and welfare systems, which have become fragmented—and were never perfect, don’t get me wrong—to work better together, at least people would have a fighting chance of understanding what the hell they were meant to be doing, because it is a bit confusing at the moment. My hon. Friend is completely right that we are talking about people in chaos.

A tiny fraction of victims of domestic violence present as homeless. The vast majority either stay or end up in refuge, and they will likely have help in those circumstances to get them through the process. But we have to do better for those who turn up the housing office. We have to ensure that local authority staff have a much clearer understanding of this cross-border issue, because the triumph of hope over experience has left many people unhoused.

**Mrs Miller:** It is a great pleasure to follow the hon. Member for Birmingham, Yardley (Jess Phillips), my fellow member of the Women and Equalities Committee. Of course she speaks with great power on these issues, given her experience. We also heard a great deal from the Minister to give us reassurance about how much work the Government have done to ensure that this Bill is the best that it can be and that it further supports victims of domestic violence—something that this Government have made a huge priority. I congratulate the Minister on all that she is doing to ensure that the situation improves ever further.

I will make some short comments about the amendments, because I think that the Bill generally has cross-party support. A lot of what the hon. Member for Great Grimsby (Melanie Onn) has outlined. Ministers clarified that individuals which the hon. Member for Great Grimsby (Melanie Onn) has outlined. Ministers clarified that individuals...
lost security of tenure. The Bill is specifically drafted to protect individuals facing that situation. In my experience as a Minister, I remember feeling on a number of occasions, “Perhaps we need a belt-and-braces approach here. We really need to spell it out in the Bill.” And what always came through to me in those circumstances was the fact that, in trying to do the very best we can to be as clear as possible, we can actually create confusion by not following the usual protocols. I urge the hon. Member for Great Grimsby to consider that for a moment. As the Minister said, local authorities should have no problem understanding their duties. Indeed, adding to the Bill in the way that the hon. Member for Great Grimsby is suggesting could, because of the redundancy of her new clause, create the opposite of the clarity that she wants.

I have a brief point on amendment 2. As the Minister said, allocating a house that is too big would not be in the best interests of the victim, but specific circumstances might require flexibility. I remember looking particularly at the role of discretionary housing payments when I was a Minister. Such cases fall squarely into the list of examples of why we have these payments. One of the reasons for having such an immense amount of money in this fund—£150 million or so a year—is to be able to give local authorities the flexibility that they need to be able to deal with local circumstances as they see fit. I think that it is better to trust local authorities to get that right than to create specific exceptions that might run the risk of not being used in the way in which the primary legislation requires.

I understand the reason behind this set of amendments. I particularly understand why the hon. Member for Birmingham, Yardley has spoken with a great deal of passion. One question that I would really like the Minister to answer is: how do we work even harder to ensure that local authorities provide the same support for victims of domestic violence, whether they are in Basingstoke, Birmingham, Yardley or anywhere else?

Mrs Miller: I hope that my right hon. Friend will be pleased to hear that this summer, for the first time ever, the Government are undertaking an audit of all domestic abuse support services right the way across England. We have done a deep dive in Essex, just as a trial. In the county of Essex alone there are over 1,000 different ways of finding help for domestic violence. That is incredible. We need to find out where the domestic violence support services are across the whole country. This is the first time that the Government have ever done this.

Mrs Wheeler: I hope that my right hon. Friend will be pleased to hear that this summer, for the first time ever, the Government are undertaking an audit of all domestic abuse support services right the way across England. We have done a deep dive in Essex, just as a trial. In the county of Essex alone there are over 1,000 different ways of finding help for domestic violence. That is incredible. We need to find out where the domestic violence support services are across the whole country. This is the first time that the Government have ever done this.

Mrs Miller: I thank the Minister for those comments. These interventions are driven by that inconsistency in provision of services and by Members of Parliament wanting to get the best for the people they represent. The Minister is entirely right. By knowing how we can better provide a more equal service across the country, I hope that we will provide reassurance to those who support these amendments.

John Redwood: Does my right hon. Friend agree that the hon. Members for Great Grimsby (Melanie Onn) and for Birmingham, Yardley (Jess Phillips) have made powerful points about family break-up and the role that the legislation could play in all that? Is not this a case where discretionary payments are very important because if the family can be kept together or brought together again, that would surely be where we would want discretion exercised?

Mrs Miller: My right hon. Friend is absolutely right. That discretion at local level is so important. I have had one or two cases where the local authorities have not necessarily been on the front foot in the use of local discretionary housing payments. Perhaps the Minister could urge local authorities to understand their duties, particularly to families that have broken up and that are at risk of domestic violence, and to really understand the importance of delivering services using these payments.

Mrs Wheeler: I thank my right hon. Friend for mentioning that, because it gives me the opportunity to say that there is no limit to the length of time over which discretionary housing payment can be made; it could be one-off time-limited or it could be indefinite.

Mrs Miller: Again in her inimitable style, the Minister has answered another of the points that was raised earlier. I recognise that there are potentially time limits attached, and she is right to put on the record that that is entirely outwith any rules or regulations coming from this place.

This Bill helps to improve the lives of victims of domestic violence. That is a priority for this Government and a priority for this Prime Minister. I really applaud the Government’s work in trying to make the lives of victims of domestic abuse better. The hon. Member for Birmingham, Yardley is absolutely right that we should use every sinew in our body to make their lives better, and the Minister is doing a good job in that respect.

6 pm

Toby Perkins: I would like to start where the right hon. Member for Basingstoke (Mrs Miller) finished. I agree entirely about the importance of this Bill, which the Minister herself described as being so important. It behoves all of us to consider why somebody who has been through the appalling domestic violence that many of our constituents have experienced would then be willing potentially to stay in that relationship if their security of housing tenure was in danger of being lost. What does it say to all other housing tenants that something so crucial should be glibly given away by Government in their case? The fact that this Bill is so important makes a really vital point about the need for secure tenancy much more broadly.

The hon. Member for Hitchin and Harpenden (Bim Afolami) said that this was a Tory party manifesto commitment. I did not realise there were any Tory party manifesto commitments still standing, so if it was indeed that, I welcome it. I do not remember the part of the general election campaign where the Tories told us that they were going to take away secure tenancies for all other council housing tenants, so I do not entirely understand how they committed to ensure for domestic violence victims something that they had not told everyone else they were going to take away from them.

I support the amendments tabled by my hon. Friend the Member for Great Grimsby (Melanie Onn). On amendment 1, recognising local connections within the Bill is incredibly important. There is real inconsistency
not just in the way that different local authorities view their responsibilities towards domestic violence victims but in the provision of refuges. I was shocked to hear from Women's Aid that Devon County Council not only has no provision for refuges but gives no money towards refuges that Women's Aid provides. In Chesterfield, we are so well served by the refuges provided by the Elm Foundation that we often provide for domestic violence victims who are coming from other areas. Many of the people who are going to use these services will not be local people. It therefore behoves all local authorities everywhere to make provision on behalf of domestic violence victims.

Where there is that inconsistency of provision, the areas with the greatest provision of refuges end up taking more people on to their council house waiting list and then providing that housing, and so those who are best at providing refuges also see the greatest pressure on their housing services. That is a real disincentive to local authorities in making this provision.

Mrs Miller: The hon. Gentleman is making an important point, but he will have heard the Minister say that she will be undertaking the first ever audit of local authority provision. Does he not wonder, as I do, why that has not happened before?

Toby Perkins: I welcome the audit, but the question is what happens afterwards. I would like this to be a statutory service with a responsibility on local authorities to provide it. Will there be any move by the Government towards that? Having the information is one thing, but the next thing is what the Government do with it.

On amendment 2, my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) made an incredibly powerful point about the bedroom tax, describing the circumstances where domestic violence victims might lose their children and then find that they are moving into a small flat and are told by the family courts that they do not have appropriate accommodation to get their children back. I was not at all convinced by what the Minister said about why the amendment was not relevant. I urge my hon. Friend to press it to a vote, because we cannot talk about straining every sinew and still have a barrier of that kind in the way of domestic violence victims.

There is a broader need for us to recognise the threat to refuges that exists not only because of local authority funding cuts but because of proposed changes to housing benefit. We must look at the impact that that could have on refuge provision. I urge the Government, if they are serious about supporting domestic violence victims, to make every possible representation to the Department for Work and Pensions with regard to implementing those housing benefit changes. I support the Government on this important Bill. However, I urge Members to support all the amendments, particularly amendment 2, because they will add further powers to the Bill.

Sir Robert Syms: This is an important Bill. I think that we all heard the passion with which the hon. Member for Birmingham, Yardley (Jess Phillips) spoke about this subject, which really underlined how important it is.

I have sat in this Parliament for a long time, and it has always struck me that short Bills, specifically to the point, are far more powerful in supporting people’s rights than the Bills that we sometimes see, with clause after clause. We know how complex housing issues are, and that is why guidance is the key. We put the right into primary legislation, and then we have the guidance to deal with the problems. Victims of domestic violence are often in a chaotic situation because of the nature of what is happening in the home. The best way of dealing with that is through guidance.

The Department consults very widely on guidance. A vast raft of housing charities and women’s rights charities can give their views, and then we have a Committee upstairs. I must admit that having Committees upstairs that simply note what has been discussed always seems slightly odd, but the consultation gives Members an opportunity to raise a lot of points. Indeed, if the Opposition want to pray against something, it sometimes comes to the Floor of the House for a vote. There are mechanisms for ensuring that the guidance is comprehensive and right and it was probably written by the same experts in the Department who were trying to deal with this difficult and complex problem under the Labour Government.

I have seen the passion that many Members have expressed on this subject, and I understand that because this is about people’s lives, but I also listened very carefully to the Minister. She talked about training; that is good. She talked about audit; that is good. She talked about various money pots; that is good. She talked about pilots, which means that the Department is open-minded about how we should go about solving some of these very important problems. Providing that the pilots and the audit are done properly, we can get a better service to those who face the real and great tragedy of domestic violence and the consequences that has for them, their children and the family.

I think that the Government are on the right track. I understand the passion that people feel about this. However, it is not about what is in the Bill; it is about what is in the guidance. There is a big debate to be had on that, but today we need to get on with supporting the Bill and getting it on to the statute book. I therefore support the Minister in resisting the amendments. Let us consult on the guidance, listen to what the experts want us to do, and have a listening Government who will try to ensure that we have a fit-for-purpose policy that will deal with people who are facing great misery at home because of this problem.

Alex Norris (Nottingham North) (Lab/Co-op): Before coming to this place, I served on my city council, where for a number of years I had responsibility for Nottingham’s efforts to tackle domestic abuse and to support survivors. I learned many things during that period, but one thing has particularly stuck with me ever since: when a survivor—usually a woman—makes the decision to leave their abuser, the state must be there to wrap around that person. There can be no grey areas and no “I’ll call you back on Monday”. It must be immediate and comprehensive. Whether it is housing, support for children or fostering for pets, it has to be there. It is with that in mind that I rise to speak.

The Bill enjoys support on both sides of the House, as we have heard, and from the charities that work tirelessly to protect women and children fleeing abuse. The intentions behind the Bill are decent, and while we in this place may not directly see the impact of the decisions we take today, those decisions will change the
lives of very vulnerable people and allow them to escape their abusers and start to live their life free from fear. Nevertheless, there are some grey areas of outstanding concern that I want to focus on briefly.

The first is reciprocal arrangements, which are covered in new clause 1. The nature of the abuse that a survivor is fleeing means that they might need to leave Nottingham and go to Birmingham or even Cardiff or Glasgow, and it is vital that they are not disadvantaged. I am grateful for the assurance we were offered—not this morning, as the Minister said, but this afternoon, in letter form—that the Welsh, Scottish and Northern Irish Administrations are relaxed about their abilities to ensure such arrangements. Nevertheless, people change and circumstances change, and that letter will not be of much significance if co-operation is not properly monitored. That is all the new clause asks for, and whether it is accepted or not, I hope that the Government will continue to commit to that.

The Government have stated that the legislation will protect victims who need to move their secure tenancy across local authority boundaries and that amendment 1 is not necessary because the courts and Government guidance state that the local connection test does not apply in domestic abuse cases. However, those who work on the ground know that that is not quite how it works. The organisations that work most closely with those fleeing abuse have made it clear that, as is so often the case, there is a difference between the best-intentioned Government guidance and the reality of the situation on the ground.

Women often have to flee across local authority boundaries to find safety, and we know that local authorities are at best inconsistent. In 2016-17, local housing teams prevented nearly a fifth of the women supported by Women’s Aid’s “No Woman Turned Away” project from making a valid homelessness application on the grounds of domestic abuse, for reasons including that they had no local connection. It is said in this place that the local connection test does not apply in domestic abuse cases, but it is not always filtering down. That is a good argument for putting that explicitly in the Bill, so that there is no doubt and no grey areas, and on the night or day when an individual leaves, whether they have a local connection or not, the expectation on the local authority is entirely clear.

Finally, on amendment 2 and the bedroom tax, I was really interested to hear from the Minister. She made it clear that this would happen in a very small number of cases, but I would be interested to hear what the evidence base was for that and what those numbers were. I am certain that none of us in this place would want finances to come into play when an individual is making the very difficult decision to leave their abuser. None of us would want that individual to be punished because the house they were moving into was deemed to have a spare room, because they were waiting to be reunited with their children or because of the way the housing stock we are talking about was structured. In Nottingham, there is not a suite of choices waiting for an individual, with the option of saying, “You’d be suitable for a one-bedroom place,” or, “You might be suitable for a three-bedroom place.” The fact of the matter is that we will be putting them wherever we can. I know that none of us would want them to be financially punished for that, which is an excellent reason for accepting amendment 2, so that we are very clear, because it is in the grey areas that we will struggle.

I am conscious that other Members are waiting to speak, so I will leave it there. I believe that the new clause and the amendments would strengthen the Bill. I do not think that much of their substance has been disagreed with; it is just about whether or not to write them down. I will make this clear argument: let us not leave it to guidance. Let us be explicitly, painfully, to-the-letter clear about the system that we are designing today. The consequences of it are life and death, so it is well worth our putting those words on the face of the Bill.

Lucy Allan (Telford) (Con): It is a pleasure to follow the hon. Member for Nottingham North (Alex Norris), who made insightful remarks. Today’s debate has been incredibly valuable and informative. I am so grateful to all Members who have come here to share their experience, including the hon. Member for Birmingham, Yardley (Jess Phillips). Often we talk about her passion, for which she is renowned, but she brings to this place the very lucid voice of the women she has worked with and the chaos she has seen, and so often the work we do misses that voice. It is not just her passion for which we should be grateful, but her great experience and her capacity to bring it to us in this place in a way that we can all understand.

I would also like to comment on the hon. Lady’s remarks about children being taken into care as a result of domestic violence. She is absolutely right: the failure to protect so often causes women to lose their children to the care system, and anything we can do in this place to reduce that eventuality has to lessen some of the agony and pain that families go through in these circumstances.

6.15 pm

I am really pleased that we are here discussing the Bill. It is testament to the work of many Members that this issue has become centre-stage. I am grateful to the Prime Minister for giving her absolute commitment to tackling the issues of domestic violence and for keeping this manifesto commitment. We are all talking about it today, and that is what we need to do more of.

The Minister has given us a lot of reassurance today. The hon. Member for Birmingham, Yardley will be pleased to know that I previously worked at a Women’s Aid refuge in Wandsworth Council’s area, and I can confirm that the women coming to that refuge were always coming out of borough for the sake of their own safety. I listened to what the hon. Member for Great Grimsby (Melanie Onn) said about amendment 1, and she was persuading me that I should support it, because I have seen that at first hand and know exactly what she is alluding to. However, we have received some clear and categorical assurances from the Minister, for which I am grateful. I have taken those on board and am very pleased indeed.

I welcome the other important measures that the Government are seeking to introduce, including the £17 million violence against women and girls service transformation fund. I am grateful that the issue has become central to our agenda in this Parliament, not least because in the past 18 months, three women in the
Telford area have been killed by partners or ex-partners in their own home or a home they shared with the perpetrator. Sometimes these horrific events can become normalised. We read about it in the *Shropshire Star*, but nobody even alludes to the fact that it was an ex-partner or that it was domestic violence. We need to talk about it, which is why it is so important that we are all here today.

I do not want to add any further comments to what has been said, other than on training. In my experience, women approaching housing authorities do not always come up against the type of treatment and response that we would like them to receive. I feel that demanding that all councils provide training is not the way forward. Councils have to take this on board and understand that it is their duty to provide a better level of response, and by having this debate, we are making them aware that women who go to housing authorities in these circumstances are not receiving the sort of response that they should expect and that we all want them to receive.

I am very grateful to the Minister for her comments and to colleagues on both sides of the House for the contributions they have made. This is a very important Bill. It is a short Bill, as the hon. Member for Great Grimsby said at the outset, but it is a hugely significant one, and that is why I wanted to share these comments.

Bim Afolami: I am aware that many others wish to speak, so I will be brief. Those who are still left in the Public Gallery have seen today the best of Parliament. This is the complete opposite of yah-boo politics. There has been cross-party discussion about a Bill that generally appears to have cross-party support. We should welcome that and welcome the exchange of ideas and views. That does not always happen in this Chamber, but it has happened today.

As my hon. Friend the Member for Poole (Sir Robert Syms) said, this is a short Bill. It is clear and to the point, and it deals with a specific problem. When the hon. Member for Birmingham, Yardley (Jess Phillips) reads *Hansard* tomorrow morning, she will see many references to her speech, but let me add one more. The disagreement from Conservative Members with certain points she made was not on the substance of the issue, but on the appropriateness of those points in relation to the Bill. However, I am sure that she, the Minister and others will continue to work on this issue, and I think that Members across all parties appreciate her expertise in this area.

One point in particular is worth making. Labour Members have spoken about the spare room subsidy, which is not really the subject of the Bill, but I want to make the point that it is critical to get more social housing built. For the Bill to be effective, we really need as much social housing as possible to be built. If they take a look at the record, as I have, they will see that roughly 2,900 local authority homes a year were built from 1997 to 2010, while under this Government—about half of that time—over 10,000 local authority homes a year were built from 2010 to 2017. Labour Members must look at their own record on social housing, and realise that a lot of the problems we now face are partly down to the fact that they did not build enough homes when they were in office. I know that the Minister and the Government are working on that.

I finish by agreeing with the Minister and other Conservative Members that I do not believe the new clause and amendments are appropriate in this context, and I shall vote against them for that reason.

Luke Graham (Ochil and South Perthshire) (Con): I rise to speak to new clause 1, which would have a specific impact on local authorities in Scotland, including in my constituency. I would say at the outset, in relation to the thrust of what was said by the hon. Member for Great Grimsby (Melanie Onn), that I agree about the need for more co-operation across the United Kingdom, and I will come on to that shortly. The difficulty, as shown by the fact that I am the only Scottish MP in the Chamber, is that the Bill is not necessarily the right vehicle to do so, because it cuts across some devolved areas, and I want to go into that in a little more detail.

The Government have a strong record on domestic abuse, and the Bill is a further example of that. We have criminalised coercive and bullying behaviour, and we have made sure that we have domestic violence orders. We currently have an open consultation, which provides the potential for more powers and a greater understanding of other types of crimes, such as economic abuse, that are often unseen. That is certainly the experience of many of my constituents, as many people in public authority have seen.

My knowledge of this matter has largely come from my constituents, as well as from some of my own family experience. Many of my constituents have relationships that span the United Kingdom. Men and women who have had such relationships may have some children in England and some in Scotland, so there is a real need for co-ordination and for a UK minimum standard. I have seen at first hand, in refuges and in my constituency office, the bravery of these women as well as the hardship that they have endured. I know how much of an impact there can be on individual lives, and how much need there is for them to move from one local authority to another, which may not be an adjacent one but a local authority far up the country in Scotland or somewhere in England.

Members have talked a lot about the terrible abuse that women have endured, and we know that domestic abuse has a disproportionate impact on women. It is also important to say, however, that 700,000 men were victims of domestic abuse in 2015-16, and that young people are also victims. When we talk about giving people opportunities in secure tenancies in other local authorities around the country, we need to ensure that we capture everyone, because domestic abuse affects many different types of individual at many different ages.

As I have said, and I will keep my remarks brief, a national minimum is desirable. I very much feel that there are times when we are four nations and many regions, but there are also times when we are one country. On this issue, I believe that having a national minimum would be incredibly desirable. I am very keen to work with Opposition Members, certainly as we examine other pieces of legislation in this place, on having UK-wide frameworks, especially in new policy areas, to make sure that there are UK-wide minimums, even if the services are delivered through devolved Administrations, local authorities or other devolved agencies. I am very willing to help in such a way. Unfortunately, however, as the Bill is targeted at England,
making an amendment to loop in what is a devolved area in Scotland—it would have an impact in my local authority and others—this is not the best place to do so. I hope to work with Opposition Members in future to try to develop policies on such minimums.

I hope that my hon. Friend the Minister will continue in the spirit of consultation that she always shows in relation to the devolved Administrations, and perhaps she will consider extending her audit of services elsewhere in the United Kingdom—beyond England to Scotland, Wales and Northern Ireland.

Melanie Onn: I want to assure the Minister that at every stage of the Bill, since I have been involved, I have sought to be constructive in my approach. Having heard the arguments and the Minister’s response, let me say that I do not intend to push new clause 1 or amendments 1 and 3 to a vote. We have made our points as fully as we can—sadly, to no avail—but I do not want to cause any unnecessary delay to the Bill.

On the bedroom tax, however, the Minister’s response was not wholly sufficient to ease the Opposition’s concern about the potential for a damaging loophole to be created, which would be to the detriment of domestic abuse victims. As the hon. Member for Poole (Sir Robert Syms) said, we want a fit-for-purpose policy, and that is what we are all aiming for. Therefore request that the House be permitted to divide on amendment 2, but I beg to ask leave to withdraw new clause 1.

Clause, by leave, withdrawn.

Clause 1

Duty to grant old-style secure tenancies: victims of domestic abuse

Amendment proposed: 2, page 1, line 25, at end insert—

“(2BA) A local housing authority which grants an old-style secure tenancy under subsection (2A) or (2B) has discretion to decide whether or not the maximum rent for the old-style secure tenancy should be determined according to regulation B13 of the Housing Benefit (Amendment) Regulations 2012 (SI 2012/3040).”—(Melanie Onn.)

Question put, That the amendment be made.

The House divided: Ayes 246, Noes 302.

Division No. 149 [6.26 pm]

AYES

Abbott, rh Ms Diane
Ali, Rushanara
Amessbury, Mike
Antoniazi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blomfield, Paul
Brabin, Tracy
Bradbhaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Buck, Ms Karen
Burden, Richard
Burn, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Caddy, Ruth
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Charalambous, Bambos
Chowy, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Crausby, Sir David
Cressy, Stella
Cruddas, Jon
Cryer, John
Cunnings, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
de Cordova, Marsha
de Piere, Gloria
Debonnaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Fletcher, Colleen
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
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
Hayes, Helen
Hayman, Sue
Craddas, Jon
Champion, Jenny
Charalambous, Bambos
Clwyd, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Crausby, Sir David
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Cruddas, Jon
Cryer, John
Cunnings, Judith
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Goodman, Helen
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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
Hayes, Helen
Hayman, Sue
Craddas, Jon
Champion, Jenny
Charalambous, Bambos
Chowy, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
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Cunnings, Judith
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Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
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Harman, rh Ms Harriet
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Hayman, Sue
Craddas, Jon
Champion, Jenny
Charalambous, Bambos
Chowy, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Crausby, Sir David
Cressy, Stella
Cruddas, Jon
Cryer, John
Cunnings, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
de Cordova, Marsha
de Piere, Gloria
Debonnaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Fletcher, Colleen
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
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
Hayes, Helen
Hayman, Sue
Craddas, Jon
Champion, Jenny
Charalambous, Bambos
Chowy, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Crausby, Sir David
Cressy, Stella
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Cryer, John
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Fovargue, Yvonne
Foxcroft, Vicky
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George, Ruth
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Goodman, Helen
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
Hayes, Helen
Hayman, Sue
Craddas, Jon
Champion, Jenny
Charalambous, Bambos
Tellers for the Ayes:  
Jeff Smith and Nick Smith

NOES

Adams, Nigel  
Afolami, Bi  
Afriyie, Adam  
Aldous, Peter  
Allan, Lucy  
Allen, Heidi  
Amess, Sir David  
Andrew, Stuart  
Arger, Edward  
Atkins, Victoria  
Bacon, Mr Richard  
Badenoch, Ms Kemi  
Baker, Mr Steve  
Baldwin, Harriett  
Barclay, Stephen  
Baron, Mr John  
Bebb, Guto  
Bellingham, Sir Henry  
Benyon, rh Richard  
Berry, Jake  
Blackman, Bob  
Blunt, Crispin  
Boles, Nick  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Bradley, Ben  
Bradley, rh Karen  
Brady, Sir Graham  
Braverman, Suella

Smith, Owen  
Smyth, Karin  
Snell, Gareth  
Sobel, Alex  
Spellar, rh John  
Stammer, rh Keir  
Stevens, Jo  
Stone, Jamie  
Streeting, Wes  
Tami, Mark  
Thomas, Gareth  
Thomas-Symonds, Nick  
Thornberry, rh Emily  
Timms, rh Stephen  
Trickett, Jon  
Turley, Anna  
Turner, Karl  
Twigg, Derek  
Twigg, Stephen  
Twist, Liz  
Umnuna, Chuka  
Vaz, rh Keith  
Vaz, Valérie  
Walker, Thelma  
Watson, Tom  
West, Catherine  
Western, Matt  
Whitehead, Dr Alan  
Whitfield, Martin  
Williams, Dr Paul  
Williamson, Chris  
Wilson, Phil  
Woodcock, John  
Yasin, Mohammad  
Zeichner, Daniel  

Davies, David T. C.  
Davies, Glyn  
Davies, Philip  
Davis, rh Mr David  
Dinenage, Caroline  
Djanogly, Mr Jonathan  
Docherty, Leo  
Dodd, rh Nigel  
Donaldson, rh Sir Jeffrey M.  
Donelan, Michelle  
 Dorries, Ms Nadine  
Double, Steve  
Dowden, Oliver  
Drax, Richard  
Duddridge, James  
Duguid, David  
Duncan, rh Sir Alan  
Dunne, Mr Philip  
Ellis, Michael  
Ellwood, rh Mr Tobias  
Elphicke, Charlie  
Eustice, George  
Evennett, rh David  
Fabricant, Michael  
Fallon, rh Sir Michael  
Ford, Vicky  
Foster, Kevin  
Fox, rh Dr Liam  
Francois, rh Mr Mark  
Frazier, Lucy  
Freeman, George  
Freer, Mike  
Fuday, Mr Marcus  
Gale, Sir Roger  
Garnier, Mark  
Gauke, rh Mr David  
Ghani, Ms Nusrati  
Gibb, rh Nick  
Gillan, rh Dame Cheryl  
Girvan, Paul  
Glen, John  
Goldsmith, Zac  
Goodwill, Mr Robert  
Gove, rh Michael  
Graham, Luke  
Graham, Richard  
Grant, Bill  
Grant, Mrs Helen  
Grayling, rh Chris  
Green, Chris  
Green, rh Damian  
Greening, rh Justine  
Grieve, rh Mr Dominic  
Griffiths, Andrew  
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  
Hinds, rh Damian  
Hoare, Simon  
Hollingbery, George  
Hollinrake, Kevin  
Holloboone, Mr Philip  
Holloway, Adam  
Howell, John  
Huddleston, Nigel  
Hughes, Eddie  
Hunt, rh Mr Jeremy  
Hurd, rh Mr Nick  
Jack, Mr Alister  
Javid, rh Sajid  
Jayawarden, Mr Ranil  
Jenkins, Mr Bernard  
Jenkyns, Andrea  
Jennick, Robert  
Johnson, Dr Caroline  
Johnson, Gareth  
Johnson, Joseph  
Jones, Andrew  
Jones, rh Mr David  
Jones, Mr Marcus  
Kawczynski, Daniel  
Keeghan, Gillian  
Kennedy, Seema  
Kerr, Stephen  
Knight, rh Sir Greg  
Knight, Julian  
Kwarteng, Kwasi  
Lamont, John  
Lancaster, rh Mark  
Latham, Mrs Pauline  
Leadson, rh Andrea  
Lee, Dr Philip  
Lefroy, Jeremy  
Leigh, Sir Edward  
Letwin, rh Sir Oliver  
Lewer, Andrew  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Lidington, rh Mr David  
Little Pengelly, Emma  
Lopez, Julia  
Lopresti, Jack  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
Maclean, Rachel  
Main, Mrs Anne  
Mak, Alan  
Malthouse, Kit  
Mann, Scott  
Masterton, Paul  
Maynard, Paul  
McLaughlin, rh Sir Patrick  
McVey, rh Ms Esther  
Menzies, Mark  
Merrion, Huw  
Metcalfe, Stephen  
Miller, rh Mrs Maria  
Milling, Amanda  
Mills, Nigel  
Milton, rh Anne  
Mitchell, rh Mr Andrew  
Moore, Damien  
Mordaunt, rh Penny  
Morgan, rh Nicky  
Morris, Anne Marie
Madam Deputy Speaker (Dame Rosie Winterton): I remind the House that before Second Reading, as required by the Standing Order, the Speaker certified the entire Bill as relating exclusively to England and within legislative competence. The Bill has not been amended since then.

Under Standing Order No. 83M, a consent motion is required for the Bill to proceed. Copies of the motion are now available. Does the Minister intend to move the consent motion?

The Minister for Women and Equalities (Penny Mordaunt) indicated assent.

The House forthwith resolved itself into the Legislative Grand Committee (England) (Standing Order No. 83M).

Question accordingly negatived.

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): I remind hon. Members that, if there is a Division, only Members representing constituencies in England may vote.

I call the Minister to move the consent motion.

Motion made, and Question put forthwith (Programme Order, 19 March, and Standing Order No. 83M(5)).

That the Committee consents to the Secure Tenancies (Victims of Domestic Abuse) Bill [ Lords.]—(Mrs Wheeler.)

Question agreed to.

The occupant of the Chair left the Chair to report the decision of the Committee (Standing Order No. 83M(6)).

The Deputy Speaker resumed the Chair, decision reported.

Third Reading

Mrs Wheeler: I beg to move, That the Bill be now read the Third time.

I will be very brief, because I believe the Bill has cross-party support. This short and targeted Bill is an important part of the Government’s wider aims of supporting victims of domestic abuse to leave their abusive situation, and ensuring that they and their families are provided with the stability and security they need and deserve. I am sure all Members agree that domestic abuse is a particularly horrible crime. Its effects are insidious and its impacts are wide-reaching. It has serious and lasting impacts on victims, their families and society as a whole.

The Bill will protect lifetime tenants who have to flee their home, whether they apply for rehousing by their own local authority or to any other local authority in England. It will also protect those who have lost their lifetime tenancy if they have fled their home, and it will protect those who want to return to their home after the perpetrator has left or been removed. It will ensure that in every case, where they are granted a new tenancy by the local authority, they will know that they are able to retain their lifetime tenancy in their new social home.

Lord Bourne was personally very committed to taking the Bill through the other place and I am proud to have been able to do so in this place. He was very grateful for the cross-party support he received from his noble colleagues and I would like to echo my thanks to hon. Members for their support. I know that we have had our differences regarding the detail, but I am sure we are all in agreement on the main aims of the Bill. We can all take credit for ensuring that this small but vital piece of proposed legislation is put on the statute book, but I would like, if I may, to pay particular tribute to Baroness Lister of Burtersett. She has been the mainspring behind the Bill and it is through her persistence during its passage in the other place that it is in such good shape.

I am heartened to know that the Bill has been widely welcomed by the organisations that support victims of domestic abuse, in particular Women’s Aid. I would like to take this opportunity to pay tribute to all those who work so hard to support victims of domestic abuse everywhere, not just Women’s Aid but Refuge, IMKAAN and many more.
Before I finish I would also like to thank the members of the Bill team for their hard work and support in taking the Bill through: Frances Walker, Jane Worthington, Jane Everest, Lizzie Clifford, the parliamentary draftsman Anthony Brown, and finally, from my own team, Emma Andrews.

6.46 pm

Melanie Onn: I would like to start by thanking my colleagues in this House, in particular my hon. Friends the Members for Croydon Central (Sarah Jones), for Birmingham, Yardley (Jess Phillips), for Chesterfield (Toby Perkins), for Nottingham North (Alex Norris), for Walthamstow (Stella Creasy), and for Canterbury (Rosie Duffield), and, for her contributions this afternoon, my hon. Friend the Member for High Peak (Ruth George). I also thank Members in the other place for scrutinising this proposed legislation and ensuring that it leaves in a marginally better state than when it arrived. I would particularly like to pay tribute to my colleague Baroness Lister, as her amendment to the original Housing and Planning Act 2016 is the reason the Bill is before us today.

I am disappointed that the Minister has been so reluctant to support any of our amendments, as they would have strengthened the Bill by helping to equalise the quality of care across the country and guaranteeing that domestic abuse victims who move authorities still have a secure tenancy in their new authority. I had hoped that, given that mistakes had been made in this area in the past and such provision had not been included in the Housing and Planning Act 2016, the Government might have listened to some of the concerns from the sector about the ambiguity of the Bill. However, given that we have just divided on the matter, we will support the Bill as drafted.

Despite that, the Bill leaves the House today and it will do a large amount of good for many domestic abuse victims across the country. By guaranteeing a secure tenancy to victims of domestic abuse moving from a secure tenancy, the Bill will remove a key barrier that prevents domestic abuse victims from leaving their perpetrator. There is a clear need for a new radical and credible approach to housing and refuges, but the Bill will provide more security to many domestic abuse victims who are in secure tenancies. We therefore support the Bill.

6.48 pm

Ruth George: I welcome the Bill before us today. I also welcome the Minister stating the Government’s wider aim of enabling victims of domestic violence to be able to leave the perpetrator so that abuse can end.

Like my hon. Friend the Member for Great Grimsby (Melanie Onn), I was very disappointed that the Government were not prepared to listen, in particular to amendment 2. I urge the Minister to go back to housing benefit and discretionary housing payment practice in local authorities, because even the national housing executive guidance on the gov.uk website states that a discretionary payment will last for a set period of time. That is what happens in practice.

In the last period for which we have information on discretionary housing payment, 121 councils ran out of discretionary housing payment budget. That means time-limited grants that people are able to reapply for, but, in a domestic violence situation, that is another burden and payment cannot be guaranteed. That leads to further insecurity for victims and for their children, in particular in the very distressing circumstances, mentioned by my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), where children have been taken away due to failure to protect. We would all wish to see those circumstances come to an end as soon as possible for such families.

I turn to the wider implications of the Government’s policy on domestic violence, particularly around universal credit, which I have been looking at as a member of the Work and Pensions Committee. I very much hope that the Minister will take her experience of issues relating to domestic violence and to women who seek to flee from their abuser and speak to colleagues in the Department for Work and Pensions about the single payment system under universal credit. The Financial Times highlights this issue today, saying that women will not even be able to access the money for a bus, train or taxi fare to leave their abuser. As I mentioned in an intervention, even when victims manage to leave, they need a benefits system that will respond immediately to their needs and guarantee them benefit and support. Some victims are not even able to access a place in a refuge without that support and end up going back to the perpetrator of their abuse. One cannot imagine the additional abuse that they will receive having attempted to leave, and then having to go back again.

Although the Bill is welcome, a lot of social housing providers are very concerned about universal credit in cases when there is a joint tenancy, because when a perpetrator of domestic violence leaves, the payment is split between the perpetrator and the victim of domestic abuse. This means that the victim receives only half the housing element of universal credit and therefore immediately falls into arrears. Evidence that we took on the all-party group on universal credit showed that some victims of domestic violence were already being evicted, because the system meant that their arrears had built up to thousands of pounds.

Although I very much welcome the Bill and the Government’s wider intentions, I hope that the Minister will use the experience that she has gathered on the Bill to talk to other Departments and to look at the overall experience of victims of domestic violence and the support that they get from Government.

Question put and agreed to.

Bill accordingly read the Third time and passed, without amendment.

NUCLEAR SAFEGUARDS BILL (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith (Standing Order No. 83A (7)).

That the following provisions shall apply to the Nuclear Safeguards Bill for the purpose of supplementing the Order of 16 October 2017 (Nuclear Safeguards Bill (Programme)).

Consideration of Lords Amendments

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion two hours after their commencement at today’s sitting.

(2) The proceedings shall be taken in the following order: Lords Amendments Nos. 3, 1, 2 and 4 to 7.

Subsequent stages

(3) Any further Message from the Lords may be considered forthwith without any Question being put.
The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(Kelly Tolhurst.)

Question agreed to.

Nuclear Safeguards Bill
Consideration of Lords amendments.
Queen's consent signified.

After Clause 1

AGREEMENTS REQUIRED BEFORE WITHDRAWAL

6.53 pm
The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I beg to move, That this House disagrees with Lords amendment 3.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to take the following:
Government amendment (a) in lieu of Lords amendment 3.
Lords amendments 1, 2 and 4 to 7.

Richard Harrington: Before I say a few words about the amendments, I want to reflect on the passage of the Bill. It has passed through this House in an orderly manner, with a great many thoughtful points made by Members on both sides of the House who are here today and by many who are not. I particularly pay tribute to the Opposition Front-Bench team, led by the hon. Member for Southampton, Test (Dr Whitehead)—I will never forget his constituency after this Bill. Although we have had our moments of disagreement, I have been encouraged by the strong consensus and have done my best to listen carefully to his amendments. I hope he would accept that I have given a lot of thought to them and that I have tried to accept those that I can. Lord Henley and I have made considerable efforts to listen to concerns in the other place as well, as has been seen in the amendments we have made to the Bill.

Outside the legislation, my right hon. Friend the Secretary of State committed to making regular progress updates to Parliament. The first report was published on 27 March and the next will follow next month. We also provided draft regulations to support the House’s deliberations on the Bill, and I confirm today that I am placing in the Library the Department’s analysis on the application of Standing Order No. 83O, in respect of any motion relating to a Lords amendment, for Commons consideration of Lords amendments stage.

The Government opposed amendment 3 on Report in the House of Lords. I have listened carefully to the views of Members, including the Opposition spokesman, the hon. Member for Southampton, Test. The amendment would require that in a situation where particular agreements relating to nuclear safeguards are not in place, the Government would have to request that the UK’s withdrawal from Euratom be suspended until they are.

John Howell (Henley) (Con): The Minister may be aware that in the last few hours, I have had a conversation with the head of Culham Centre for Fusion Energy, who says that the Government are moving in the right direction on this, and have already agreed to pay for an association and are moving in the right direction on that. If the Minister is going to oppose the amendment, he has my full support and that of the head of Culham.
Richard Harrington: I thank my hon. Friend for that comment, which I believe reflects the progress that we have made. He works very hard for Culham; it is an extremely impressive place and I am sure that everyone on both sides of the House supports what they do.

Sir Robert Syms (Poole) (Con): May I be the first to congratulate the Minister on the co-operation agreement that we have signed with the United States of America? This is a very good sign. There was some concern in Committee about the progress that we had made, and I believe that the Minister is doing his utmost to make sure that we have a fit-for-purpose regime in future.

Richard Harrington: I thank my hon. Friend. I would like to say that it was because of the personal influence that I have with President Trump, but no one in this House, and particularly you, Madam Deputy Speaker, would hear that. However, it shows that we have made a lot of progress and things are going according to plan. I am grateful to the United States for that assistance it has given us, as well as that of the other countries we are dealing with and the International Atomic Energy Agency, whose initials some of us repeatedly had difficulty pronouncing—I will come to the IAEA in a moment.

As currently formulated, amendment 3 will not work. Subsection (3)(c) currently contains a broad reference to international agreements made by Euratom to which the UK is a party. First, the UK is not a party to Euratom’s nuclear co-operation agreements; Euratom concludes them on behalf of member states, and Euratom, rather than the member states, is a party to those agreements. Secondly, subsection 3(c) covers a number of international agreements that are not in fact required to ensure the continuity of nuclear trade after withdrawal from Euratom. For these reasons, the other agreements that are covered by Lords amendment 3 should be restricted to the priority nuclear co-operation agreements with Australia, Canada, Japan and the US. Although I cannot agree to Lords amendment 3 in its present form, I am tabling an amendment in lieu, which I believe will address parliamentarians’ concerns. I particularly hope that it will address the issues raised by the shadow Front-Bench team and Members on both sides of the House.

John Woodcock (Barrow and Furness) (Ind): With respect, the Minister is doing what every single Minister will always do when faced with Opposition amendments—that is, nit-pick over the precise wording. If he is going to table his own amendment, will it clearly state that the UK will not withdraw from Euratom until the required agreements are in place so that we have a similar, commensurate level of security?

Richard Harrington: I have always listened carefully to what the hon. Gentleman says. He knows a lot about nuclear and deserves attention particularly on this Bill and every other nuclear subject that comes up. He accuses me of nit-picking—politely, as always—and then nit-picks about the language in my amendment, which I do hope he has read and which I will explain more about now. We do nit-pick in Parliament, though, because everyone is trying their best to get it right, and I accept that language can mean everything. I am sure that “nit-picking” is a parliamentary word, Madam Deputy Speaker. If it is not, I still fully accept it from him.

Richard Harrington: Under the amendment in lieu, if any principal international agreements are not signed, which is everybody’s fear, and no other equivalent arrangements in respect of unsigned agreements have been made, the Secretary of State would have to ask the EU for the corresponding Euratom arrangements to continue to have effect in place of the unsigned agreements. The relevant agreements are: the voluntary offer agreement and additional protocol with the IAEA and the four priority nuclear co-operation agreements—with the USA, Canada, Japan and Australia.

The amendment in lieu provides a sensible compromise that addresses the central concerns of parliamentarians about the possibility of a cliff edge while removing the technical—we could say “nit-picking”, in honour of the hon. Member for Barrow and Furness (John Woodcock)—issues. It addresses the valid points that he and others have made about a cliff edge. It specifically names only the agreements that the UK needs to avoid disruption to our civil nuclear trade and co-operation, whereas Lords amendment 3 refers to agreements entered into more broadly. We have prioritised putting in place bilateral NCAs with those countries that have a legal or policy requirement for an NCA to be in place for civil nuclear trade to continue. As I have said, those countries are the USA, Canada, Australia, and Japan.

The amendment in lieu creates a two-part test, in respect of international agreements and other arrangements, for existing Euratom arrangements to continue to apply after exit day. Amendment 3 was tabled before the agreement with the EU on the terms of an implementation period, whereas the amendment in lieu is capable of taking account of such a period. That implementation period, by meeting hon. Members’ wish for assurance of continuity in nuclear safeguards arrangements, would satisfy the second part of the test in this amendment in lieu.

Alex Sobel (Leeds North West) (Lab/Co-op): The Minister has talked about the implementation period and our ongoing relations with Euratom. What discussions has he had with the European Commission to determine whether our membership of Euratom will continue during the transition period?

Richard Harrington: My officials have had a lot of discussions with the EU on Euratom, as the hon. Gentleman might imagine, and I am very satisfied with the stage we have reached. If he will excuse me, I will try to cover that in the rest of my contribution.

Stephen Kerr (Stirling) (Con): During the Select Committee hearings on this matter, David Wagstaff, the head of the Euratom exit negotiations at the Department for Business, Energy and Industrial Strategy, indicated that progress in establishing new nuclear co-operation agreements with the USA, Canada, Japan and Australia was well advanced and that these would be completed in time for our departure. Did he mean next March or the end of the implementation period?

Richard Harrington: I can assure my hon. Friend that he meant March 2019. In answer also to the hon. Member for Leeds North West (Alex Sobel), I would like to assure the House that the UK and the EU have
reached agreement on the terms of an implementation period that will run from 30 March 2019 until the end of 2020. The existing Euratom treaty arrangements will continue during this period and businesses will be able to continue to trade on the same terms as now. As part of this, the UK and the EU agreed that for the duration of the implementation period the EU’s international agreements will continue to apply to the UK. This will include Euratom’s existing nuclear co-operation agreements with the USA, Canada, Australia and Japan.

Sir Robert Syms: I presume that the objective is to sign agreements with all the countries mentioned before March 2019, but there is also a process of ratification. Is it the Government’s objective to get those ratified before the leaving date, or will some of them be ratified during the transition period?

Richard Harrington: The best example I can give is the ratification of the agreement with the US—and this will also explain the difference between signing and ratification. Now that it has been signed, it needs to be approved in accordance with the relevant constitutional requirements of the UK and the US, just as will be the case with the other bilateral agreements, but we have built into our timetable sufficient time to allow for the necessary processes in both the UK Parliament—it will come before Parliament this year—and the US Congress, which has a slightly different arrangement involving several days of congressional business. I am very confident, however, that the process will be completed. In both cases, it is unprecedented for this to be anything other than a formality. Both countries will then exchange notes to bring the agreement into force when required, which we fully expect to be at the end of the implementation period, but we have built plenty of time into the process.

John Redwood (Wokingham) (Con): This all sounds like very good progress. Is it true that the other four agreements the Minister says are necessary will be similarly available and ready by March 2019?

Richard Harrington: I have every confidence that those agreements will be ready, signed and ratified. I have no reason to believe anything other than that.

If the relevant agreements or arrangements are not in place 28 days before exit day, the amendment in lieu would impose a requirement on the Secretary of State to make a request to the European Council to continue to be covered by the corresponding Euratom agreements—the trilateral agreements between the IAEA, Euratom and the UK and the bilateral agreements between the countries I have mentioned. That request would cover only those areas for which the UK had not signed a relevant agreement or made arrangements for the corresponding Euratom agreement to continue to apply to the UK after exit. I think that answers the questions about process.

I have not mentioned the IAEA itself. We have made very good progress in negotiating with the IAEA, having held several productive rounds of discussions, and it has shared with us the draft voluntary offer agreement and additional protocol. Negotiations on these documents have made good progress, and we expect to conclude a final draft in time for them to be put to the June meeting of the board of governors. The UK has a very strong relationship with the IAEA and continues to support it across a range of nuclear non-proliferation issues—something I was able to reinforce in my meeting last week with the director general, Mr Amano.

Lords amendments 1, 2 and 7 were Government amendments placing the definition of “civil activities” in the Bill. The Delegated Powers and Regulatory Reform Committee recommended that a definition of “civil activities” be placed in the Bill, so far as is possible, supplemented by a power to develop, where necessary, its meaning in regulations. The definition we inserted takes into account the continuing work on the draft regulations that will underpin the Bill, on which we are intending to consult in July. Although the Committee accepted that it might still be necessary to supplement this definition with a power to embellish its meaning in regulations, I have not found that to be necessary, so the amendments remove the existing power to specify in regulations activities that are or are not to be treated as “civil activities” and replace it with a definition in the Bill without creating another power. They therefore reduce the number of powers created by the Bill.

The sunset clause discussed by the Opposition Front-Bench team places a time limit—colloquially known as a “sunset”—on the use of the power in clause 2. Hon. Members may recall that clause 2 contains the power to amend three pieces of legislation in consequence of a relevant safeguards agreement—an agreement relating to nuclear safeguards to which the UK and the agency are parties. That legislation makes detailed references to specific provisions of international safeguards agreements. Those references, including references to specific articles, are likely to change as a result of any amendment of, or change in, the agreements. We therefore believe that the power in the Bill is necessary to make the changes in the relevant legislation to update the references when the new agreements are in place. The Delegated Powers and Regulatory Reform Committee recommended preventing the use of the power after a period of two years had expired. The amendment addresses the principle of the Committee’s recommendation, but provides for a “sunset” period of five years to ensure that the provision can function effectively in all scenarios, including that of an implementation period with the EU.

Lords amendments 5 and 6 deal with statutory reporting. As I have said, I took very seriously the cross-party requests from parliamentarians for regular detailed updates about nuclear safeguards arrangements in this country. The amendments, as amended by the Opposition, would place a statutory duty on the Secretary of State to provide quarterly reports on nuclear safeguards, covering both domestic and international matters, for the first year after the Bill receives Royal Assent.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): This is a general point, but I should like the Minister to be mindful of it. I do not pretend to understand the morass of amendments and timings, but the nuclear site at Dounreay, in my constituency, is being decommissioned, and, thanks to the involvement of Euratom and other agencies in the past, we have achieved a standard of excellence that is second to none in the world. I am anxious to ensure that the skills that we have there are developed and exported to other
countries, and to ensure that, whatever Her Majesty’s Government puts in place of Euratom—whatever systems are introduced, and whatever clauses are included in the various bits of legislation—the importance of that is remembered and the quality is retained where it should be for the future, because otherwise we will lose an opportunity.

Richard Harrington: I entirely agree with the hon. Gentleman: Dounreay has one of the finest reputations. I have not yet had the pleasure and honour of visiting it—although if I were able to visit it, I should be pleased to do so—but I have visited Sellafield, and have discussed matters extensively with all the nuclear decommissioning authorities there. Dounreay is thought of very highly, and I assure the hon. Gentleman that nothing will be done to denude it of its reputation or lower the current non-proliferation standard. I was delighted to hear that Dounreay has one of the finest reputations.

Stephen Kerr: Does the hon. Gentleman welcome the progress that the Government are evidently making towards the conclusion of these agreements? That is good news, is it not?

Dr Whitehead: I think the hon. Gentleman has slightly anticipated what I was about to say. It is indeed good news that progress is being made in that regard, but there is not much time left between now and March 2019, and there are still a number of treaties to go.

Lords amendment 3 addresses what is perhaps the most central point of the whole exercise. As I have said, we have always agreed about the overall need for it as a contingency measure, to deal with the eventuality that we do indeed leave Euratom at the end of March 2019. We will of course continue to raise the issue of leaving it at all, and the question of the role that it might play during the transition period after the end of March. However, we clearly need the best possible alternative arrangements to fully protect nuclear safeguarding, and to ensure that the regime is as good as that which was deployed under the Euratom arrangements that we will be transferring to the Office for Nuclear Regulation.

In the establishment of that regime, a vital role will be played by the adoption of bilateral treaties with civil nuclear countries—particularly Australia, Canada, Japan and the United States—and, of course, by the voluntary agreement that will supersede the agreement made with the IAEA on behalf of European civil nuclear countries by Euratom. That agreement will be tenable only on the basis that we have in place a mechanism that will satisfy the IAEA that we are in earnest about nuclear safeguarding separately from Euratom. That is one of the central purposes of the Bill.

The adoption of those treaties is an essential element of ensuring that there are no cliff edges as we leave Euratom. In Committee, representatives of the nuclear industry, among others, expressed the fear that leaving Euratom without introducing all the measures necessary to ensure a smooth continuation of function could create a gap in provision that would be devastating for the operation of civil nuclear in the UK.
Layla Moran (Oxford West and Abingdon) (LD): Does the hon. Gentleman agree that while some of the safeguards the Minister mentions might well work, it would be easier to stay in Euratom until such time as everything is concluded so that there is absolutely no way we would fall off any cliff edges? Does he agree that “may” is not good enough in this scenario?

Dr Whitehead: The hon. Lady makes the important point that to have the full protection of staying in Euratom would be the best thing to do, not just on nuclear safeguarding but on a range of other civil nuclear activities, until we are absolutely certain that we have ticked every box and ensured that we have alternatives that are as good as what we have under Euratom. That, very largely, is what Lords amendment 3 seeks to do. It seeks to ensure that there is recourse to the full covering arrangements of Euratom if those boxes have not been ticked.

After waiting until the very last moment to tell us that Lords amendment 3 is not needed and will be opposed, the Government have finally come up with an amendment in lieu of their own that suggests that perhaps a fall-back plan is needed after all. Its wording is, in many respects, very similar to Lords amendment 3. It places the signing of these treaties as the essential element in securing the transition to a full nuclear safeguarding role without Euratom, and specifies, as amendment 3 does, what they are. That in itself is a considerable victory for those who counselled for this over a period of time, and is a substantial turnaround from the Government’s previous position. But, at the last, the amendment falls short. It places the option to decide not on whether principal agreements have been signed—for that will be evident, or not, at the time of departure—but on what one might call an interim stage on a fall-back which provides for circumstances where, at the beginning of a period of 28 days prior to exit, agreements may not have been signed and completed, but will in the Secretary of State’s opinion have been so signed before that 28-day period is up. In other words, there is a very abbreviated, but nevertheless significant, period during which the Secretary of State will decide whether treaties are going to be signed. That will, in effect, be putting off the relevant request to the European Council for an extension of the time during which Euratom provisions hold, because the Secretary of State thinks it is, after all, going to be all right. That is a far shorter period than under the original general provisions that the Secretary of State said he would try to organise and get right in time for exit from the EU, but we are still back to that assumption that it will be “all right on the night” with no complete plan B in place. I accept that the amendment in lieu proposed by the Government comes a very long way, and that it has taken a considerable amount of U-turning, if we want to call it that, to put in place these arrangements, but in reality it is not quite far enough.

Ben Bradley (Mansfield) (Con): It was a pleasure to serve with the hon. Gentleman on the Bill Committee. Does he agree that the Government’s new approach offering more flexibility and the ability to take a common-sense approach based on the circumstances at the time is a better approach than an inflexible decision taken now which might not fit the circumstances next year?

Dr Whitehead: I am not sure that the term “inflexible decision” can be accurately addressed to this set of circumstances, because we have a very inflexible date by which these decisions will have to be made. If we have a provision that is based on the Secretary of State deciding whether things are going better or worse, and if the House then does not have time to apply to the European Commission for an extension, an objective judgment will be made about whether to make an application to the European Commission for an extension of Euratom’s overview, particularly in relation to nuclear safeguarding activities.

That is another reason why we seek to preserve the original clause and ensure that it goes into the final Bill. My hon. Friend the Member for Barrow and Furness (John Woodcock) mentioned nit-picking in respect of some of the wording of the amendment. It would have been possible, I think, to fix that wording without diluting the effect of the clause in the way the Government have done through their amendment in lieu. It still has the flaw in it that there is a period when the Secretary of State has the option to decide whether he thinks something is going to be done, as opposed to the absolute guarantee that it will have been done at the point of departure. For that reason, we seek to preserve the original clause, if necessary by means of a vote. Depending on the result of that vote, we might then offer the amendment in lieu back to the other place for it to decide whether it thinks it comes close enough to its intention not to be sent back to this House once more.

Stephen Kerr: I do not intend to detain the House with a long speech, but I want to commend the Minister on the way in which he has guided the Bill to this point and to assure him of my support for the amendment that he has tabled. He has been, and is being, attentive and responsive to the concerns he has heard; he has listened and responded, and I believe that that is what makes for good legislation. I also wish to add to his compliments to the hon. Member for Southampton, Test (Dr Whitehead), whose positive contribution to the progress of this Bill has been greatly appreciated by us all.

To be clear, we need this Bill. Leaving the European Union creates the necessary, even if unwanted, step of leaving Euratom. The Government’s stated preference is for Euratom to continue to provide safeguarding functions in the UK. That is a laudable example of the pragmatic approach that the Government, and in particular the Prime Minister, are taking to issues surrounding our departure from the European Union. I like to think that my conservatism is based not on ideology but on pragmatism, and it is pragmatism that is going to see us through the process by which we leave the European Union. This Bill is a vital contingency plan, because if it transpires that we cannot agree with Euratom to continue with the civil nuclear safeguarding, we will need to have the regulatory framework, the infrastructure and the capabilities in place to maintain our international obligations and responsibilities as an independent and responsible nuclear state.

Bob Stewart (Beckenham) (Con): I was under the impression that we cannot remain in Euratom unless we are a member of the EU—we may want to, but we cannot, according to the rules.
**Stephen Kerr:** My hon. Friend has the power of mind-reading because the next thing I wish to say is that given that it will not be possible for us to maintain Euratom membership, the Government have taken the realistic approach of declaring through the process of the current round of negotiations that we would like to achieve an “as close as possible” relationship with Euratom, however that might ultimately be described. Although there is no such thing today as an associate membership, perhaps it is possible to become an associate of some form or another to the end of achieving that “as close as possible” relationship that we desire.

**Kwasi Kwarteng (Spelthorne) (Con):** My understanding is that we as a country want to leave Euratom. Does my hon. Friend agree that opening up a suggestion that we could have associate membership muddies the waters slightly in terms of the clarity of the debate?

7.30 pm

**Stephen Kerr:** I am grateful to my hon. Friend for his intervention, but I do not think it does. The Minister has made it clear during the passage of the Bill that although we are leaving the European Union and our membership of Euratom will therefore end, we still want as close a relationship as possible with Euratom. The Government have been absolutely clear in their determination on this. They stated in a written statement published last September 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 has 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 IAEA.”

I hope that the Minister will reconfirm tonight that it is still the Government’s intention to reach and maintain existing Euratom standards in respect to safeguarding. I recognise that it will take time to get to that point, but it would be useful if he indicated when he expects we will be in a position to act as an independent nuclear state that we are. The Select Committee report summarised the evidence we heard and concluded that nuclear co-operation agreements were

“expected to depend on the existence of a mutually acceptable UK safeguards regime. Witnesses were concerned about any potential gap between leaving Euratom and setting up new arrangements, which would cause considerable disruption to nuclear supply chains”.

We also heard that

“nuclear cooperation agreements with the US, Canada, Japan and Australia will be crucial for maintaining existing operations and should be prioritised.”

I welcome the news that the Minister has brought to the House tonight about the IAEA, the draft voluntary offer agreement and the additional protocol. I also welcome the US-UK nuclear co-operation agreement. Perhaps he will give us more detail on how long it will take for the agreement to be ratified. I referred earlier to the optimistic note that David Wagstaff, the head of Euratom exit negotiations at the Department for Business, Energy and Industrial Strategy, brought to our Committee, where he indicated that the co-operation agreements were “well advanced and…would be completed in time for our departure.”

I have heard again tonight that that means March 2019.

With reference to the principal international agreements, perhaps the Minister will update the House on our negotiations with Canada, Japan and Australia. Will all Euratom’s existing nuclear co-operation agreements continue to apply to the United Kingdom until such time as new agreements can be established? It is vital that our civil nuclear industry can continue to operate with certainty and that there should be minimum to no disruption to the sector as we leave the European Union. Britain must be in a position to continue to honour its international obligations—

**Layla Moran:** Will the hon. Gentleman explain what “minimum” would be acceptable? I do not feel that any minimum disruption would be acceptable; for me, no disruption is the only possible scenario. What would his minimum be?

**Stephen Kerr:** The hon. Lady is right to pick me up on those words, and I am grateful for her intervention. Because the Prime Minister has successfully concluded the implementation agreement with the European Union, the minimum that we should settle for is no disruption, especially in this sector.

I was about to say that we as a country must be in a position to continue to honour our international obligations, and to be the responsible nuclear state that we are. The importance of this Bill, with this amendment, is that in the event of there being no agreement with Euratom, which is not what we want, it will enable the United Kingdom to be in a position to act as an independent and responsible nuclear state. That is why the amendment should command support on both sides of the House.

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): I should like to begin by echoing the remarks of the hon. Member for Southampton, Test (Dr Whitehead) about the Minister’s participation in the Bill so far. He has indeed been helpful, inclusive and relentlessly courteous as we have gone through the process. I welcome the progress that has been made, but that must be set against the background of what we believe to be the folly of leaving Euratom in the first instance. The last time the Bill came before us, I said that despite the Government’s ideological intention to abandon Euratom—it is ideological; there has been no attempt to challenge whether there might be a possibility to stay in it—their proposals fell short of answering vital questions on the UK’s nuclear future. Those answers have been asked for by the nuclear industry, the medical profession, our research sector and virtually everyone associated with nuclear power. Simply put, we should not be leaving Euratom.

Even with some sensible amendments from the Lords that have been accepted by the Commons, the Bill still fails to answer many critical concerns. As I have stated
before, we in the Scottish National party believe that the safest nuclear power is no nuclear power. In Scotland, we have demonstrated what can be achieved by alternative renewable energy sources, and there is still a vast potential to be tapped, especially offshore, for an abundance of low-cost clean energy. In contrast, the UK Government continue to chase the folly of new nuclear, including the white elephant that is Hinkley C. That means higher costs for consumers, and technologies whose capital costs continue to skyrocket.

Kwasi Kwarteng: Does the hon. Gentleman believe that “no nuclear” can be squared with full participation in Euratom? If he had to choose one or the other, what would he decide?

Drew Hendry: I find the hon. Gentleman’s question rather odd. I shall come to the reasons that we support Euratom in a moment, but a no-nuclear future means that we still have to navigate the nuclear that we have at the moment, and the wider public need to understand the existing nuclear technology.

Kwasi Kwarteng rose—

Drew Hendry: I want to make progress, because I am aware that Members wish to move ahead and I wish to accommodate that as much as I can.

Turning to the Lords amendments, and the Government amendment in lieu, I should like some clarification from the Minister. On Lords amendments 1 and 2, I have said that providing clarification on the definition of “civil activities” is a sensible move, but is he in a position to enlighten us on the question put by Lord Hutton as to why the phrase, “for peaceful purposes”, has been defined in regard to electricity generation? I understand that Lord Henley, the Under-Secretary for Business, Energy and Industrial Strategy, was to write to Lord Hutton with a response to that question. However, I am not aware that there is anything on the public record on that issue, so I would be grateful if the Minister enlightened us.

Lords amendment 4 proposes a sunset clause, but I still do not think that the Government have fully answered the question as to why the sunset provision needed to be extended to five years from two years, so I would welcome clarification from the Minister. That being said, this is a sensible clause to add to the Bill.

I also agree with Lords amendment 5, which will mean that we receive a report for each three-month period in the years after the Bill is enacted. I note that the reports could include information on the development of the domestic operational arrangements required for the new domestic safeguards regime. Will the Minister outline what level of information he expects to provide? What information does he intend to include in the reports? For example, will they include information on the profile of ongoing costs, including any increases, on skills, on the recruitment and skills opportunities for girls and women and on gender pay? Reports should also include a rolling risk register.

I also note that we are to expect, or “may” have, a report that includes information on future arrangements with Euratom, including on nuclear research and development and on the import and export of qualifying nuclear material. I listened carefully when the Minister said that he had “every confidence” about the situation. It is good that he does, but we should have a guarantee. As was said earlier, there should be no diminution of the current protection that we enjoy under Euratom. I remain concerned about radioactive isotopes, but I do not intend to go through the rationale that I presented in the previous debate for why they are vital—although if I did, I would make no apology for doing so. The medical profession is concerned about their future availability, and even if there are agreements about access to such isotopes, the question remains unanswered about how we are supposed to obtain them in a Brexit future that means no customs union. How are they going to get across the border in time, before their limited half-life has expired? I could say much more on that, but perhaps the Minister can tell us how he intends to overcome the customs barriers and get that material here.

The Scottish National party supports Labour’s position on Lords amendment 3, and if it comes to a vote, we will vote to disagree with the disagreement that the UK Government have brought forward. If the Minister was serious about giving Parliament assurances, he would accept Lords amendment 3, which was moved by a Cross-Bench peer. The amendment quite literally does what it says on the tin: no exit from Euratom if relevant and necessary agreements are not in place. Instead, in presenting their own amendment (a), the UK Government are again asking us to take things on trust, but does he not agree that everything will be all right on the night. That is simply not good enough. Given that we are already seeing a lack of transparency around Hinkley Point C and rising costs, and around what is happening in Anglesey at the Hitachi plant, we cannot take such
things on trust. It is vital that the Government are transparent on this issue now, because so much is at stake for people.

In conclusion, we have been advised that a deal has been struck with the USA, but will the Minister provide an update on the other agreements that need to be in place before the UK exits Euratom? After all, he expects us to take him at his word, so it should follow that we will be regularly updated on progress. In the interests of transparency, will he place the draft withdrawal agreement with Euratom in the Library? Although this is a reserved matter for the UK Government, the Scottish Government have regulatory powers on nuclear waste and emissions, so what discussions has he had with the Scottish Government to date on this issue? If he has had none, as I expect, what discussions does he intend to have?

7.45 pm

Trudy Harrison (Copeland) (Con): I listened with interest to my hon. Friend the Minister’s opening statement. Of the 87,000 people working in the UK’s nuclear sector today, some 27,500 people—nearly 40% of the workforce—are based in Cumbria. That is why, in Copeland and in Cumbria, we proudly call ourselves the centre of nuclear excellence, and I am so pleased to hear from the Minister that swift progress is being made.

I have said before that not to have arrangements in place would be catastrophic for my community and devastating for the nuclear sector nationally and internationally and for all who rely upon the sector for energy: low-carbon electricity, fuel, research and development, science and industry, clean-up operations, defueling, decommissioning, reprocessing, waste processing—the list goes on. There would also be wider supply-chain implications from advance manufacturing to apprenticeships and implications for ensuring that we continue the legacy of world-class skills and for the enormous number of businesses employing people right across the country in component factories and on our high streets. In my community, that means hairdressers and hardware stores, taxi firms and tearooms; the nuclear industry in west Cumbria puts food on so many of our tables. Britain’s nuclear industry equals our automotive industry in terms of value to the economy. It is a vital to our economy, our environmental obligations and our society. It is therefore absolutely right that the Bill is being given the kind of priority that the ministerial team are affording it.

I thank all those who have been working so hard and so collaboratively on this important issue. The priority for me and my community is the UK being able to operate as an independent and responsible nuclear state when the Euratom arrangements no longer apply to the UK. There is a strong consensus across Parliament on the importance of ensuring that the necessary measures are in place so that the UK nuclear industry can operate with certainty while meeting all international commitments. That is clear from speaking with people working in the 70-something nuclear businesses in my constituency, including my husband, who is in the Gallery tonight and celebrating his birthday by watching this debate.

Rachel Maclean: Will my hon. Friend forgive me if I take this opportunity to wish her husband a happy birthday?

Trudy Harrison: I thank my hon. Friend.

The importance of having measures in place is clear from speaking to those working in the Nuclear Decommissioning Authority. It is also clear from reading the Minister’s report, published on 27 March—and no doubt will be from reading the next report, to be published in June—that the ministerial team is making considerable effort to address all concerns. I am grateful for the time that the Minister for Nuclear has spent with me and in my Copeland constituency. He has met many businesses in Copeland, including on his visit to Sellafield, visits to the Copeland Borough Council “Open for Business” event and to a Britain’s Energy Coast Business Cluster meeting. I know that he understands both our concerns and our capabilities.

To ensure that we will operate without interruption after the implementation period ends on 31 December 2020, the amendments introduced by the Minister will improve the transparency of negotiations and improve our understanding of the procedures being carried out. The progress being made will result in better, stronger industry confidence, and I welcome that. The definitions that will be included in the Bill are also welcome.

Amendment (a), in lieu of Lords amendment 3, will address the concerns raised in the other place. As I understand it, 28 days before exit day on 1 March 2019, if any relevant agreements are not signed and if no other equivalent arrangements have been made, the Secretary of State would have to ask the EU for corresponding equivalent arrangements to continue to have effect, providing vital secondary reassurance in the unlikely event that all measures are not fully in place.

I am pleased that the UK has now signed a bilateral nuclear co-operation agreement with the United States of America, as the agreement will allow the UK and the US to continue their mutually beneficial co-operation after the point at which Euratom arrangements cease to apply to the UK. The UK-US nuclear co-operation agreement will enter force at the end of 2020, following the conclusion of the implementation period of 21 months after the end of March 2019.

It is vital we have certainty and confidence that there will be no interruption to existing relationships that are underpinned by international agreements. I also welcome the fact that the nuclear co-operation agreement has been drafted and signed on the same principles as the current Euratom-US nuclear co-operation agreement, with the same robust assurances on safeguards, security, transfers, storage, enrichment and reprocessing in relation to the transfer of nuclear material and related items between the United Kingdom and the United States.

All that is relevant to my Copeland businesses and constituents, who rely on the nuclear industry for their livelihoods, and vital so that the country can continue to generate electricity, carry on reprocessing operations and continue with the decommissioning and legacy clean-up operations in Britain and abroad.

I urge Government officials to ensure that the same swift, smooth, effective transaction agreements are prioritised with Australia, Canada and, especially, Japan, with which my constituency businesses are working very closely. World-leading and innovative clean-up, defueling and decommissioning work must continue. Skills and products are being invented and deployed to support the Fukushima clean-up.

Companies such as React Engineering, based in Cleator Moor, have worked with Sellafield to develop brand
new technologies and techniques to deal with incredibly complex situations. It is in everyone’s interest that this essential work is carried out, without interruption, as we leave the EU and Euratom. The last nuclear reactor to be constructed in Britain was Sizewell B, completed in 1995 using imported pressurised water reactor technology. Since then, no nuclear power plants have been completed. The UK’s capability to design and build a nuclear power plant has been dissipated, and the renewal of the nuclear programme has been dependent on overseas technology and nuclear systems suppliers, so it is all the more important that we ensure that the international nuclear co-operation agreements are fit for purpose and in place.

This is surely a depressing situation for a country that led the way in nuclear development. I share the widely expressed concerns about the energy trilemma: the need to keep costs down, to ensure the security of supply and to reduce carbon. There must be a concerted cost-reduction emphasis, supported financially and in policy terms, and I urge the Government to consider becoming much more directly engaged in the nuclear fleet deployment to revitalise the UK nuclear industry.

Diversification of the industry is already happening in Copeland, as companies such as Shepley Engineers, for which my husband works as a welder and which was started at Sellafield in the late 1940s, are now winning contracts across the country. Such companies are deploying their highly skilled workers, who are very experienced and competent at working safely, in highly regulated environments and in extreme conditions. As I speak, the Shepley Engineers workforce are above us fixing the roof and deploying their reverse-engineering techniques to complex and ancient systems. They are replacing the cast-iron tiles and giving the stonework a new lease of life, and they are also working at considerable height on the Elizabeth Tower, always with safety as their principal concern.

It is brilliant that those skills, that expertise and that precision working are in demand across Britain and beyond, but what I really want, and what the industry is crying out for, is for our globally envied skills in nuclear to be valued, employed and deployed, grown and exported as we develop, once again, a UK fleet of nuclear reactors of small scale, advanced breed and large scale to power the country and to export across the world—leading the way and making most of our established and highly regarded reputation for excellence, innovation and British-built, safe reliability.

The Government’s industrial strategy speaks of grand challenges, pledging to “put the United Kingdom at the forefront of the industries of the future”.

I agree with the statement that a truly strategic Government must do more than just fix the foundations, important as they are, and must plan for a rapidly changing future. The industrial strategy reports:

“Nuclear is a vital part of our energy mix, providing low carbon power now and into the future. The safe and efficient decommissioning of our nuclear legacy is an area of world-leading expertise.”

Let us not forget that this is our responsibility. This is not the kind of job that we should be leaving for our children and grandchildren to deal with.

We have enjoyed the power generated by nuclear, we have benefited from more than 70 years of highly skilled employment and we have learned many lessons along the way. Now, we are doing the responsible thing and cleaning up our legacy waste. Old and deteriorating storage facilities are nearing the end of their useful life at Sellafield, and it is our generation’s task to deal with this, both by prioritising safe storage and disposal and by investing in research and development to realise the full potential of the highest grade fissile material.

The research and development carried out at the national nuclear laboratory and at the Dalton nuclear institute, in partnership with universities and academia, and with the small and medium-sized enterprises in Copeland, is world leading. It is truly ground-breaking innovation that will transform the way we power our homes and businesses, our vehicles on this planet and travelling to others, and how we live our lives.

This Bill is an essential element of that work, and nothing should detract from its delivery. Today is a positive step in the right direction for our nuclear industry. I am so proud to be part of the journey, serving my community in this House. I commend this Nuclear Safeguards Bill, Lords amendments 1, 2 and 4 to 7 and amendment (a) in lieu of Lords amendment 3.

John Woodcock: I rise to speak in favour of Lords amendment 3.

It is a pleasure, as ever, to follow the hon. Member for Copeland (Trudy Harrison). She spoke powerfully about the contribution of civil nuclear power to our local economy. As she knows full well, every day several hundred people from my constituency go up that basket-case road and on that awful coastal rail line to Sellafield. I hope the Minister was not taken the long way around, and so avoided that awful bit of the A595 and that dreadful bit of the Cumbria coastline. Those routes are truly appalling, and we need his and his Department’s help in trying to unlock our dreadful logjam with the Department for Transport.

Before I reach the substance of my brief remarks, I would like to say how nice it is to hear that the husband of the hon. Member for Copeland is in the Gallery and that she has brought him to hear her speak on Lords amendment 3 to the Nuclear Safeguards Bill for his birthday. That shows, despite all the rumours to the contrary, that people from Millom really know how to have a good time. [Laughter.] I really should not say that, given that the boundaries may expand and I might end up asking for the votes of the people of Millom at the next election.

In this place and elsewhere, we often end up getting cross with the wrong people. I have a great deal of sympathy for the Minister because, as has been talked about at length in the Chamber today, he has listened. If we were to tally the people who are broadly on the right side of this debate, he would be one of them. The people we should be cross with—are those who made the wrongheaded, deeply Europhobic decision to exit Euratom at the time of our leaving the European Union—are not here. We still do not accept the legal advice that he quotes. To my knowledge—he could set us straight either way—even when the Government are talking about associate Euratom status, or whatever is put in place, they will still not accept the jurisdiction of the European Court in those decisions, although I believe they have already conceded this in other areas, such as civil aviation.
The other thing to say on the amendments is that in eight years in this House I cannot remember a Government who have been so accommodating and open to amendments as we have been on this Bill. In general, we see Governments, including the one of which I am a member, rejecting amendments; sometimes the amendments make sense and often they do not. In this instance, I have been surprised and impressed by the fact that our Front Benchers and the Government as a whole have adopted many of the amendments proposed in the Lords.

I want to talk a little about the House of Lords amendments and the processes they are going through. The job of scrutiny that the Lords are doing is good, but in the context of Euratom and debates about the EU there is a suspicion—I am not saying that all the people in the other place are influenced in this way—that a lot of these debates and institutions are being set up as straw men with which to block Brexit. When people say we should stay in this or that institution, there is always the suspicion of it being a rear guard fight to reverse the decision of the referendum of June 2016 and somehow to stay in the EU by other means. I am not suggesting the majority of their lordships are influenced by that, but in these debates there is always the suggestion that people are trying to use proxies and excuses to prolong our membership, unnecessarily, of these European institutions.

Euratom is a creature not of the EU but very much of the philosophy that was underpinning countries of western Europe coming together. I believe Euratom was established in 1957, roughly at the same time as the treaty of Rome, but we did not actually join it until 1973. To hear some of these speeches, one would think that we had no nuclear industry and no nuclear expertise before we joined Euratom. As I was trying to suggest, that is, of course, completely false.

Kwasi Kwarteng: I accept that it is a clever amendment. I accept that on the face of it, it says that it is just a backstop, there purely to ensure that if we do not have the right treaties in place we get to stay in Euratom forever and ever, but the hon. Lady and I know that the people who composed the amendment do not expect all the relevant treaties to have been signed in the short timeframe available. I suggest, perhaps cynically—perhaps the hon. Lady will challenge me on this—that the clever amendment is simply a ruse to prolong our membership of Euratom. Call me an over-cynical man of superstition, but a lot of my constituents, if they pay any attention to this issue, would come to the same conclusion.

The hon. Member for Copeland spoke well about the importance and power of the civil nuclear industry. She posited this Bill as essential to it, and in one case it is, but let us not forget that the Bill is necessary only because of that wrongheaded decision to leave Euratom, which, even at this late stage, could still be unpicked. Surely this is just common sense. The Lords considered these amendments at great length, and I had the privilege of reading back the speech of my predecessor, Lord Hutton of Furness, who was saying how catastrophic this would be not only for the many, many thousands of jobs currently in Sellafield and for the up to 18,000 jobs that could come through as part of the NuGen power station in Moorside, but for our whole energy security framework. In the words of Lord Hutton, it is not right for us to be playing fast and loose with this.

I hope that, even at this late stage, the Minister will reconsider the opposition to the well-put proposal from the Lords. Ultimately, however, there is still time for the Government to make this decision and say, “Forget this, we don’t have to pursue associate membership. We don’t have to enact all of this scrabble to get new nuclear inspectors in place.” He may tell me if I am wrong about this, but if we have Euratom status, will these inspectors that we are recruiting be needed? We do not have to go through with this process if the Government swallow their collective pride and admit they were wrong to put us on the path to leaving Euratom in the first place.

Kwasi Kwarteng (Spelthorne) (Con): I am grateful for the opportunity to speak tonight as I spoke in this important debate at an earlier stage—on Second Reading. I was pleased to hear the speech from my hon. Friend the Member for Copeland (Trudy Harrison), who gave a good, comprehensive analysis of why civil nuclear power and the nuclear industry are so important, not only to her constituency but to the country as a whole. In this debate, we tend to get forgetful about the immense contribution Britain has made to the nuclear industry and nuclear science. At the beginning of the 20th century, we had people such as Thomson and Rutherford, and others in the Cavendish laboratory at Cambridge and at other universities. They pioneered nuclear technology and advances in the nuclear industry. It is sad to hear speeches in this House that yet again undermine, frustrate or seek to question our capacity to get this right and to institute safeguards.

In that regard, the Bill is an excellent piece of legislation. It is sensible and it tries to construct a framework that will allow us to leave Euratom and go our own way. After all, we are members of the International Atomic Energy Agency—it has a structure and about 169 countries as members—and we should celebrate that. To hear people in this Chamber, one would think that without Euratom we were absolutely nothing and there would be no safeguards and no industry. We have heard the doom-mongering prophecy of thousands of job losses, to which the hon. Member for Barrow and Furness (John Woodcock) alluded in his mildly entertaining speech. We have had all these bugbears and goblins, and all this terror, held before us, but we are taking a simple step: we are going to leave Euratom and institute our own safeguards, as we are doing, that will provide for safeguards in the industry. We also have the IAEA as a backstop. All this fear-mongering and these doom-laden prophecies of job losses are grossly exaggerated.

8 pm

Layla Moran: Would the hon. Gentleman perhaps concede that he has misunderstood the amendment? It says that its provisions would be invoked only if everything had not been agreed. It does not say that we would stay in Euratom in perpetuity; it simply says that we would stay in until the point at which every single i had been dotted and every single t had been crossed.

Kwasi Kwarteng: I accept that it is a clever amendment. I accept that on the face of it, it says that it is just a backstop, there purely to ensure that if we do not have the right treaties in place we get to stay in Euratom forever and ever, but the hon. Lady and I know that the people who composed the amendment do not expect all the relevant treaties to have been signed in the short timeframe available. I suggest, perhaps cynically—perhaps the hon. Lady will challenge me on this—that the clever amendment is simply a ruse to prolong our membership of Euratom. Call me an over-cynical man of superstition, but a lot of my constituents, if they pay any attention to this issue, would come to the same conclusion.

Layla Moran: I am grateful to the hon. Gentleman for allowing me a second go. In a sense, we are all rooting for the Minister, in the hope that he will come to a complete set of agreements in time. We all want that, and as soon as he does that, the amendment’s provisions will no longer apply. There is no issue, because if it all happens, it is fine, and even if it does not happen, the amendment will no longer apply as soon as it does happen. I do not understand the hon. Gentleman’s argument; it does not make logical sense.
Kwasi Kwarteng: I am grateful for the hon. Lady’s interventions. All I am suggesting is that what we have seen in the other House and heard in speeches there over several weeks is a consistent and concerted attempt to reverse the verdict of June 2016. I feel that this Euratom debate—I spoke on Second Reading—has been very much a proxy debate about the merits of the EU, which it should not have been. I have every confidence that the Government have the right safeguards in the Bill. I do not feel that the British civil nuclear industry is under any threat whatsoever. With the IAEA, we have in place the right structures. The scaremongering and doom-laden prophesies should be set aside, we should encourage the Government and we should reject the Lords amendments.

*Question put*, That this House disagrees with Lords amendment 3.

The House divided: Ayes 306, Noes 278.

**Division No. 150**

[8.10 pm]

**AYES**

Adams, Nigel
Afroji, Adam
Aldous, Peter
Allen, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Arger, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriet
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
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
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabbb, rh Stephen
Crouch, Tracey
Davis, Chris
Davis, David T. C.
Davis, Glyn
Davies, Philip
Davies, Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dockerty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, 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
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Everett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Ford, Vicki
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Frysh, Mr Marcus
Gale, Sir Roger
Gauke, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
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
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinsake, 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
Jenkinson, Andrea
Jenrick, Robert
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, rh 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
Lopez, Julia
Lopresti, Jack
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
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, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sherry
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Parker, rh Priti
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Prentis, Victoria
Prisk, Mr Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
De Piero, Gloria
Debonnaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Elmore, Chris
Eterton, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Fletcher, Colleen
Fovargue, Yvonne
Foxcroft, Vicky
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
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Hagih, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodgson, Mrs Sharon
Hoey, Kate
Holterm, 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 P.
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keelley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lammy, rh Mr David
Laver, Ian
Law, Chris
Lee, 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
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McDonagh, Slobhain
McDonald, Andy
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
Mclnnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Meams, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
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
Barbara Keeley (Worsley and Eccles South) (Lab): On a point of order, Madam Deputy Speaker. In the urgent question on the Learning Disabilities Mortality Review earlier on, which had been published at 8 am on Friday 4 May with no press releases or advance copies in the middle of the local election results, the Minister of State for Care said:

“It is an independent document and the University of Bristol decided when it was going to be published. It was published on Friday without permission from or any kind of communication with the Department of Health and Social Care.”

However, the Secretary of State had told the House in December 2016:

“As the programme develops, all learnings will be transferred to the national avoidable mortality programme. I have today asked the LeDeR programme to provide annual reports to the Department of Health on its findings”—[Official Report, 13 December 2016; Vol. 618, c. 622.]

What the Minister of State said today cuts directly across what the Secretary of State told the House, which was that he intended annual reports to be made to the Department of Health. Since our urgent question, the programme itself has clarified this on social media.

It said that following claims made by the Care Minister in Parliament,

“we would like to clarify that @NHSEngland chose when to publish the #LeDer report and directed all communications.”

Given that clarification from the programme itself, has the Minister of State or the Secretary of State asked to correct the record?

Madam Deputy Speaker (Mrs Eleanor Laing): The hon. Lady wishes to put her point on the record and, by raising a point of order, she has done so. I am quite certain that the Treasury Bench will have taken note of what she has said. She, like all Members of this House, will know that it is not a matter for the Chair what an individual Minister says at the Dispatch Box. Therefore, I cannot give her any ruling on the matter, but she has sought to put her point on the record, and she has succeeded in doing so.

BUSINESS OF THE HOUSE (TODAY)

Ordered.

That, at this day’s sitting, proceedings on the Motion in the name of Jeremy Corbyn relating to Criminal Legal Aid Remuneration may continue, though opposed, for 90 minutes after the commencement of proceedings on the motion for this Order, and shall then lapse if not previously disposed of, and Standing Order No. 41A (Deferred divisions) will not apply.—[Rebecca Harris.]
Criminal Legal Aid

8.27 pm

Richard Burgon (Leeds East) (Lab): I beg to move,

That the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I. 2018, No. 220), dated 20 February 2018, a copy of which was laid before this House on 23 February, be revoked.

The gravest consequences for anyone accused of a serious crime in our criminal justice system is that their liberty is taken away from them. When that is at stake, no one should be left unrepresented in a court. When that is at stake, we have a duty, as a society, to guarantee the future of effective legal representation. Failing to do so creates the real risk of injustices. This motion today is about the threats posed to our justice system and specifically to criminal defence by the Government’s changes to the payments for the criminal legal aid system. These changes are why around 100 chambers are now, in effect, striking, taking co-ordinated industrial action, and refusing more publicly funded work. The serious consequences of this action are clear for all to see. As the BBC reported on 4 April:

“A murder case at the Old Bailey has become one of the first to be affected by a strike by barristers.”

On 9 April WalesOnline explained:

“A woman accused of murdering Swansea pensioner John Williams has appeared in Crown Court without legal representation because of a barristers’ strike.”

There are many other examples.

Sir Oliver Heald (North East Hertfordshire) (Con): The hon. Gentleman must recognise that the Bar was strongly in favour when this was consulted on, with statements such as “the bar council and the young barristers committee welcome new proposals published today”, and “as circuit leaders over the period of the negotiations it is our shared view that we should support the implementation of the scheme”. The Criminal Bar Association was in favour. So what exactly is the hon. Gentleman talking about?

Richard Burgon: Well, this is not the CBA’s scheme and it does have serious concerns about aspects of this provision. Tonight is an opportunity for the Government to think again and make some sensible concessions on the most controversial aspects. If everyone was happy with the measures, the criminal barristers would not have voted by 90% to take strike action.

We have a responsibility to contribute to resolving this situation by encouraging negotiation and facilitating a solution before there is further escalation. That means that the Government should withdraw these controversial changes, go back to the drawing board and come up with a scheme that attracts widespread support, rather than provoking a backlash.

Simon Hoare (North Dorset) (Con): Given the importance of what the hon. Gentleman said in his opening remarks about the right of representation in court—a very serious procedure indeed—does he not agree that barristers withdrawing their services in strike protest is not serving justice at all, and that there should be another way for them to seek redress? Will he take this opportunity to condemn the strike?

Richard Burgon: I will not be taking this opportunity to condemn our barristers because I do not condemn our barristers. The hon. Gentleman may wish to ask whether we support the action. Yes, we support it. We deeply regret the fact that the Government have pushed the barristers into this position. We want the Government to take this opportunity to think again and listen to people who have been backed into a corner.

Ian C. Lucas (Wrexham) (Lab): Does my hon. Friend agree that this action is the cumulative effect of years and years of assault on honest, hard-working lawyers who represent clients? These people are not at the top of the profession in terms of their income or their futures; they are people who are committed to individuals in very difficult situations, and it is the Government who have let them down.

Richard Burgon: My hon. Friend makes an important point eloquently. For many of the barristers I have spoken to, this really is the straw that broke the camel’s back.

Before I touch on the precise concerns that have been raised about the new scheme, I will briefly look at the wider context that has caused this issue to be so controversial. As I have said, in many ways this issue is the straw that broke the camel’s back in the justice sector. Our justice system is at tipping point. The deep crisis unleashed by drastic cuts could soon become an emergency. In some areas, it already has.

James Cartlidge (South Suffolk) (Con): The hon. Gentleman is talking about cuts. Does he accept that, had Labour won the 2010 general election, it too would have made substantial cuts to the Ministry of Justice budget based on its own manifesto promises?

Richard Burgon: Things have moved on since the 2010 general election.

Since 2010, the budget of the Ministry of Justice has fallen by 40% in the deepest cuts of any Department. A further £600 million—around 10% of the MOJ’s budget—is to be cut in the next two years. It is a system that has already been cut to the bone. The crisis in our prisons is driven by staff and budget cuts, as has been well documented. It has been less well documented that 100 or so courts have been sold off for little more than the price of the average UK house, having negative impacts on victims and witnesses. What has also not been discussed as much as it should have been is the fact that youth offending team budgets have been decimated, with central Government funding halved over the past few years, or the fact that probation privatisation is failing despite hundreds of millions of pounds more recently going into bailing out these failing private companies. But it does not stop there, because on top of this, there are big reductions in police numbers and big reductions in the Crown Prosecution Service budgets. In 2016, the Public Accounts Committee told Members of Parliament that the criminal justice system was at breaking point. After years of cuts, the system is clearly now broken. Let us be clear: an underfunded system risks yet more victims being denied justice and risks yet more miscarriages of justice.

Today we are discussing cuts related to legal aid. Our democracy and the rule of law, despite the hon. Member for North Dorset (Simon Hoare) advocating people
being banned from not going to work, depends on people being able to defend their rights. Our welfare state, created in the aftermath of the Second World War, was about defending people’s basic human rights. It was about guaranteeing every citizen access to the human rights of education and healthcare but also of access to justice. In civil cases, when people cannot access justice, the consequences are grave.

Sandy Martin (Ipswich) (Lab): Does my hon. Friend agree that one of the basic fundamentals of our society is equality before the law, and that without access to legal aid, very many people are being denied equality before the law?

Richard Burgon: If people do not have access to justice—access to legal representation—and are not equal before the law, then basically some of our hard-won rights are not worth the paper they are written on. My hon. Friend makes a very good point.

As I said, in civil cases, when people cannot access legal aid, the consequences are grave. To illustrate that idea, let us look at what has happened in recent days and recent weeks. A migrant, or perhaps someone who was thought to look like a migrant, is not able to get legal advice after the Government slashed access. Without legal help, as I said, the rights that we have—often rights hard won by social justice campaigners across the decades—are simply not worth the paper they are written on.

Mike Kane (Wythenshawe and Sale East) (Lab): My hon. Friend is making a powerful point. My constituent Caitriona McLaughlin works in the particular area of migrants and justice. With the Bar refusing to take new work at the new rates, she says that more and more people will suffer miscarriages of justice because of this statutory instrument. Does he agree with her?

Richard Burgon: I do agree. My hon. Friend makes a powerful point from his constituent’s experience. That is why I have been forced to bring this motion before the House to revoke the statutory instrument.

Mr Jonathan Djanogly (Huntingdon) (Con): Will the hon. Gentleman give way?

Richard Burgon: I will make some progress if that is okay.

The crisis in legal aid goes much wider than the civil sector, with criminal cases affected too. As I said, that has the gravest of consequences. We now have more people representing themselves, even in the most serious of criminal cases—those tried at the Crown court. I want to draw the House’s attention to Ministry of Justice research published last week. The summary paper—only a summary—was published only after dogged pressure from journalists like Emily Dugan. It highlights judges’ concerns about people representing themselves, referring to “unrepresented defendants not understanding how to present evidence about their case at hearings, how to prepare defence statements, or how to ask questions in court.”

The obvious result of this is that some judges and prosecutors felt that those who appeared in court without a lawyer were more likely to be found guilty. The legal system should not be skewed towards wealthier people. Everybody who wants it should have access to proper legal representation if charged with a criminal offence. Justice should be blind. It should also not be based on the depth of people’s pockets. We now have criminal barristers forced to take co-ordinated action in refusing to take up legal aid work because of changes to the Government’s funding scheme.

Labour Members are proud to have submitted this motion to annul the legislation changing the scheme through which criminal defence advocates are paid for carrying out publicly funded work in the Crown court—the so-called advocates graduated fee scheme. The motion has now won the backing of over 130 Members of Parliament. We welcome the fact that, albeit belatedly, time was given for a parliamentary vote to annul this legislation.

I hope that Conservative Members who understand and respect our legal system and the importance to justice of proper access to criminal defence will not vote along party lines tonight. I hope they will help to forge a consensus that helps the Government to rethink this flawed scheme.

Victoria Prentis (Banbury) (Con): When these negotiations were in process, Bar circuit leaders said: “As the Circuit Leaders over the period of the negotiations, it is our shared view that we should support the implementation of this proposed scheme.”

Does the hon. Gentleman not think it is important to listen to those who are working in our criminal courts day after day?

Richard Burgon: It is not the Criminal Bar Association’s scheme. The CBA has serious concerns about the controversial aspects of the scheme. If the scheme were fine, 90% of criminal barristers would not have voted to take this action. It is clear that something has gone wrong and that the Government have backed these barristers into a corner rather than forging the consensus we need.

The Government’s scheme fundamentally changes the way in which criminal defence advocates are paid for carrying out publicly funded work in the Crown court. The new fee system means that the vast majority of cases will now receive a flat fee for a case, so that a case with 250 pages pays the same as a case with 5,000 pages. A rape case with a single complainant and defendant will have the same fee as a rape case involving multiple victims and multiple defendants. That disincentivises lawyers from undertaking complex cases, which often require weeks of preparation.

Andy Slaughter (Hammersmith) (Lab): My hon. Friend is making a powerful speech. The main losers in this are senior-level junior practitioners, who prepare and research complex cases. There is no fee for looking at prosecution disclosure, which means there is a greater chance of miscarriages of justice. Is this not completely misconceived in the way in which it has been put together? As he says, it will simply lead to cases either not being taken or not being prepared to the standard that they should be.

Richard Burgon: My hon. Friend makes a powerful point. We cannot tolerate a situation where either the guilty walk free or the innocent go to prison.
The scheme fails to recognise the growing work required to deal with the increasing amount of evidential and unused material. Advocates are expected to consider that material without specific payments, however much additional material is served. That is especially worrying, given the fact that a series of trials, including rape trials, have recently collapsed because of failings in the disclosure of evidence.

Despite Government promises of cost neutrality, the CBA says that the scheme amounts to a £2 million cut, and no future-proofing is built into it, resulting in a year-on-year inflationary cut. The new scheme does not address the damage caused to the system by substantial real-terms cuts to legal aid rates over recent years of 40%. As a result of these reductions, there are pressing concerns about the ability to retain younger barristers and recruit the next generation into criminal defence work. After two decades without any sort of basic cost-of-living pay rise, criminal law is no longer an attractive career option for young solicitors or young barristers entering the system saddled with debt, and others are leaving because of the increasingly unreasonable demands made on them to do more and more for less and less.

Ms Karen Buck (Westminster North) (Lab): My hon. Friend is making a powerful speech. On the issue of recruitment, is he not particularly concerned that if the Bar is to reflect the whole of society and is to draw more widely on people from less privileged backgrounds, black and minority ethnic backgrounds and so forth, it is essential that a career at the Bar is seen to provide a reasonable income?

Richard Burgon: My hon. Friend makes an important point. We are running the risk, with the path we have been taking in recent years in the justice sector, of the death knell being sounded on social mobility in the legal professions.

These changes also threaten the insufficient but none the less hard-won progress made on diversity and, as my hon. Friend says, social mobility. That has profound consequences, not just for people hoping for a career in the law but for public trust, as the judicial professions and institutions cease to reflect the communities they are there to serve. As Lady Justice Hallett has explained, “cuts to legal aid and the publicly-funded criminal justice system will set back the cause of improving diversity on the bench.”

Criminal solicitors face similar problems with their fee scheme—the litigators graduated fee scheme. They have not received any fee increase since 1998, and the number of firms in England and Wales registered for criminal defence work has recently fallen from 1,600 to 1,200. The profession is in crisis, with an ageing demographic profile. In fact, new Law Society data paint a very bleak picture indeed of “advice deserts”, where the remaining criminal solicitors will retire and no younger solicitors are coming in to take their place. That is hardly surprising when Young Legal Aid Lawyers figures show that 53% of survey respondents earn less than £25,000 per year, and those figures relate to people qualified for up to 10 years.

Ian C. Lucas: Does my hon. Friend agree that the combination of the closure of courts and the reduction in the number of solicitors firms in market towns across the country is having a massive impact on these towns, and Conservative Members just do not seem to believe in a Britain that supports its local towns?

Richard Burgon: That is a very important point. The whole swathe of court closures that have occurred have really done damage to the principle of justice accessible to all and delivered locally, so that point is very important.

The Law Society has issued judicial review proceedings against the Government in relation to further cuts to solicitors’ fees for Crown court work, and that crisis is accessible to all future-proofing. The issue for barristers will not be settled if the Government vote against our motion and carry on regardless. I understand that there is a presumption that barristers are all highly paid and some will want to paint this as being about more money going to the wealthy, but the CBA briefing points out that average pre-tax pay is about £28,000. Barristers are self-employed and the headline figures often exclude expenses, including the costs of office space, travel, staff, insurance, pension and sick pay, which the CBA estimates account for about half of a barrister’s turnover.

To draw my remarks to a conclusion, I want to cite an anecdote published by one criminal defence lawyer:

“Today I helped a colleague out by prosecuting the sentencing hearing in one of his cases, in a court 94 miles away from my home. The fee for that hearing is £60. £10 of that goes straight to my chambers as rent. I spent £33 on petrol and £6.30 on parking. The CPS do pay some travel—I think I’ll get £23.50 for this. Therefore, I come out with £34. The offence, by the way, was an assault on a baby. It was a 2pm hearing, so I left home at 10 and got home at 5. During those 7 hours, apart from the 10 mins I spent eating my packed lunch, I was either driving, getting ready for the hearing, in court, or explaining the outcome (a prison sentence) to the baby’s family. I don’t wish to sound ungrateful for my £34. I just can’t help but feel a little undervalued. I’ve been at the criminal Bar for 9 years. The government decides how much to pay me, and I think they take advantage of me, my skills, and my sense of public duty. #TheLawIsBroken.”

I hope you will forgive me, Mr Deputy Speaker, if, when the hon. Member for North Dorset, who has left the Chamber, invites me to condemn people such as that barrister, I do not do so. I hope you will forgive me if, when the hon. Gentleman who has left says that this person should be forced to go to work, I say that I do not agree with such a cruel and detached analysis.

The Government will say that they sought consensus on these issues, and that the Ministry of Justice has worked with the CBA and the Bar Council, although there are different accounts of those talks. The truth of the matter is that the Government have failed, as hundreds of barristers are now taking direct action. They have failed, as there is press speculation of further barrister action if they press on with this scheme tonight, with walkouts and returns not being done, which would send our courts into chaos. The Government have failed, as people in our justice system are being affected. Whatever one makes of it, the Government’s approach has not created consensus; it has created a backlash.

The Criminal Bar Association has made a formal request for the Ministry of Justice to delay, withdraw, amend or reconsider the implementation of this statutory instrument. The Government should listen to the CBA, and I deny that there is a problem. They should put the new scheme on hold and set about fixing it. To do that, they should do the right thing in tonight’s vote. I commend the motion to the House.
The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): I congratulate the hon. Member for Leeds East (Richard Burgon) on securing this debate, which relates to the value of the independent Bar. It is therefore important for me, as a former barrister, I understand very clearly the role that advocates play in justice. The work done by the criminal Bar, day in, day out, up and down the country, is a fundamental part of our justice system. It is criminal barristers, criminal advocates, who ensure that people, often at the most desperate time of their lives, get the opportunity to have their points put coherently and effectively, when their futures are on the line, ensuring justice. I start by acknowledging and thanking criminal barristers for the hard work that they do.

The Lord Chancellor and I have heard many concerns about the wider justice system in the short four months since we took office. We take those concerns very seriously and we are committed to ensuring that there is an efficient and effective support for those who go through our court system. We want people to have every confidence in every part of their justice system. We want a system that supports victims and ensures a smooth and efficient process for litigants, and a legal profession that is enticing at every level for those who want to work within it.

Those are all important points, but the hon. Member for Leeds East has prayed against a statutory instrument. In the interests of advocates affected by that instrument, we should now focus on the issues that it raises. It is appropriate to start with four clear facts. First, this scheme was put together in close co-operation with the Bar leadership. Secondly, the scheme does not bring in a cut; at the very least, it is cost neutral, but it is more likely to give rise to an increase in expenditure, given that built into the calculations is a £9 million risk of such an increase. Thirdly, the scheme is more advantageous to the Bar overall than the one it replaces, particularly for those at the junior end. Fourthly, a clear commitment was given at the time the scheme came in that the scheme was wanted by the Bar and the Government accepted that the old scheme was outdated. Advocates told us that it did not reflect the amount of time and effort they put into their cases. For example, under the old scheme there were no separate fees for the second day of a trial and there were no fees for a sentence hearing. The new scheme is the result of a two-year exercise involving the leadership of the Bar—the Bar Council—the Criminal Bar Association and the circuit leaders. When the scheme was put forward in a consultation in 2017 it was widely welcomed by those organisations.

Sandy Martin rose—

Lucy Frazer: I am very happy to give way.

Sandy Martin: I thank the Minister. If she believes that her Government’s changes to legal aid have not been damaging to the profession, will she explain why there is not one single criminal law solicitor aged under 35 in Suffolk—or indeed in Norfolk, Cornwall or Worcestershire?

Lucy Frazer: Like the hon. Member for Leeds East, he is saying that the professionals said that the old regime was broken, yet the Opposition seem to be arguing that they want to go back to that old regime. Can my hon. and learned Friend enlighten me on why the Opposition are opposing modernising the system?

Lucy Frazer: My right hon. and learned Friend, who was a Minister at an early stage in this process, makes a very important point. The scheme we are debating today came about because both the Bar and the Government accepted that the old scheme was outdated. Advocates told us that it did not reflect the amount of time and effort they put into their cases. For example, under the old scheme there were no separate fees for the second day of a trial and there were no fees for a sentence hearing. The new scheme is the result of a two-year exercise involving the leadership of the Bar—the Bar Council—the Criminal Bar Association and the circuit leaders. When the scheme was put forward in a consultation in 2017 it was widely welcomed by those organisations.

Maggie Throup (Mansfield) (Con): I am not a lawyer, so it may be that I am looking at this issue in a very simplistic way. It seems that my hon. and learned Friend is saying that the professionals said that the old regime was broken, yet the Opposition seem to be arguing that they want to go back to that old regime. Can my hon. and learned Friend enlighten me on why the Opposition are opposing modernising the system?

Lucy Frazer: My hon. Friend makes an extremely important point, which is at the very heart of this debate. The old system is not supported by the Bar. It did not want that system. The new scheme is an improvement, so it may be that I am looking at this issue in a very simplistic way. It seems that my hon. and learned Friend is saying that the professionals said that the old regime was broken, yet the Opposition seem to be arguing that they want to go back to that old regime. Can my hon. and learned Friend enlighten me on why the Opposition are opposing modernising the system?

Mr Dominic Grieve (Beaconsfield) (Con): As the Minister knows, there is a continuing funding crisis at the Bar. The reality is that at some point the Government are going to have to face up to the very great difficulties facing the justice system. That is not the fault of my right hon. Friend the Lord Chancellor; it is the situation he inherited. I have to say that I am in complete sympathy with the stance that my hon. and learned Friend is taking this evening. The scheme was wanted by the Bar and it is clearly an improvement on the previous system. Granted there are very great difficulties with funds, but it seems entirely reasonable for the Government to proceed with it.

Lucy Frazer: I thank my right hon. and learned Friend for his intervention and recognition that this scheme was wanted. I hope I have conveyed that the Lord Chancellor and I recognise that where there are difficulties in the criminal justice system we will seek to ensure that we have the best possible criminal justice system and legal system. The scheme, which we are
voting on today, is the right scheme going forward. The proposal that it should be revoked and annulled is disadvantageous to the Bar and is simply politics.

**Iain C. Lucas:** Why then does the Minister think the barristers are taking action?

**Lucy Frazer:** The hon. Gentleman will have to ask the barristers why they are taking action, because the new scheme is more favourable.

The consultation was broadly welcomed by the organisations I mentioned earlier. I would like to provide just one quote among many. When the consultation was put forward in 2017, the then chair of the Bar Council said:

“The suggested scheme is a fairer way of rewarding advocates for their work”,

and that it is a

“a positive example of the Ministry of Justice participating in constructive dialogue with the profession”.

As with any consultation, suggestions were made to improve the scheme. It was said, for example, that it was not right that the initial scheme proposed was to be cost-neutral as against 2014-15. Concerns were also raised that it may have an adverse impact on junior advocates. The Ministry of Justice listened to those concerns and increased the amount in the scheme in line with the costs at the time, which increased the funding by £9 million. This allowed it to improve the scheme for junior advocates. The MOJ also assesses that the scheme will cost significantly more—approximately £9 million more—than anticipated.

The new scheme in this statutory instrument is better than the one it replaces. With this motion, which calls for the new scheme to be revoked, the hon. Member for Leeds East is disadvantaging those he professes to support. He says that it is a threat to our justice system, but the motion is playing politics. It puts party politics above supporting the right outcome. With the motion, the Labour party and those who intend to join them today are using the Bar and justice as a political tool for their own ends.

**Andy Slaughter:** Minister, that is a silly thing to say, because the motion reflects the disquiet that has been expressed by the Bar. The hon. and learned Lady does not have the curiosity to ask barristers why they are unhappy; perhaps one reason is that the scheme was an alternative to a further 8.5% cut, which would have caused mayhem in the criminal courts. It is just robbing Peter to pay Paul. Why does she not go back and ask those we want to encourage to come to the Bar, particularly here in London. I know, because my son is one of them, and he would tell us that those we want to encourage to come to the Bar, who would diversify the Bar, cannot afford to do so. This is a big crisis for us, otherwise we will end up yet again with a narrow Bar. I wonder whether the Minister might urge her colleagues and hon. Friends to think about that, because it is those who will come through to be the judges of the future.

**Lucy Frazer:** My right hon. Friend makes a really important point about recruitment at the Bar. The Ministry of Justice is of course concerned about this issue, but it is not just a problem for the MOJ. When I went to the Bar, Bar fees for the course were £5,000, and they are now £15,000. Asking people to pay that sort of money is a barrier to access when the chances of their getting a pupillage and a tenancy are limited.

I will highlight three points to show why asking to revoke the scheme, as the shadow Secretary of State is asking, disadvantages the Bar. First, he is saying by doing so that he does not want the additional funds that the new scheme is likely to produce, as against the old scheme. Secondly, he is asking junior barristers to go to sentence and other hearings for no fees. Thirdly, he is asking to retain a scheme that calculates fees on the basis of page count, which is wholly outdated.

As I suggested, it was right to focus on the statutory instrument, but it would be wrong not to correct some of the many inaccuracies and misrepresentations in the hon. Gentleman’s speech, which focused on broader issues. He made several comments about disclosure without even mentioning either that the Attorney General’s review is due to report this summer or the national disclosure improvement announced by the CPS and the National Police Chiefs Council on 26 January. He talked about recruitment and failed to mention my points about fees. He said that recruitment was falling—there is anecdotal evidence for that—but failed to mention that the number of pupillages at the Bar went up in 2016-17 to its highest level since 2013. Very importantly, it is good to note that there were more women than men in 2016-17. In fact, the total number of barristers at the Bar now in practice stands at 16,435 and is incrementally increasing year on year.

The hon. Gentleman sought very quickly to broaden the debate by talking about cuts, but he failed to identify why the coalition Government had to make the cuts they did across the board after 2010. It was because the Labour Government overspent and increased our debt and deficit. A few weeks ago, I went to a school in my constituency to explain how Governments spend their money. I identified the different Departments of State, and we looked at the proportion of spending for each. If interest was a Department of State, it would be our fourth-biggest
in terms of expenditure, and that is because of the unreasonable and irresponsible decisions taken when Labour was in office.

The hon. Gentleman also talked about court closures. When 41% of courts and tribunals used less than half their available hearing capacity in 2016-17, it would be wrong not to look at our court estate. All the money from the sales is reinvested into the court estate, into our court buildings and court structure, and into technology, and that is alongside our billion-pound reform of the court process. I know that he is in favour of strikes of any kind, whether they are legal or illegal and whether or not they disadvantage ordinary members of society. I know that he favours disruption, demonstration and discontent over careful, constructive and collaborative processes, but the Conservative party believes in justice and that those who need representation should be entitled to it. We will continue to work with the profession to help them to protect the rule of law and the vulnerable people who come through our courts.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. With so many Members wanting to speak, I suggest that each Member aims to speak for about six minutes.

9.7 pm

Bambos Charalambous (Enfield, Southgate) (Lab): The fundamental principles of justice and the right to a fair trial have been enshrined in the English law since as far back as Magna Carta, and despite all the many different threats to the right to a fair trial since its signing in 1215, the biggest threat facing our country’s legal system is right here, right now, today. The constant chipping away at, and the catastrophic underfunding of, criminal legal aid has led to a broken justice system perilously close to collapse. Two years ago, the Public Accounts Committee stated that the criminal justice system was at breaking point. The Government have failed to heed those warnings, and we now have a situation whereby it is only through the extraordinary good will and willingness to go the extra mile of prosecutors and defence barristers that justice can be done.

I had an email on Sunday from one of my constituents who is a pupil barrister specialising in criminal law in her second six months of training. She told me that she had already been prosecuting cases, had had experience of being handed papers to prosecute a case at court on the day, had seen cases adjourned because of disclosure failures, and that this was not uncommon. She went on:

“I’m afraid that I won’t be able to earn enough to support myself, let alone enough to buy a home, start a family, retire with a decent pension. I hope I’ll be able to justify staying in this profession, which is so hard but which I already love so much, and which I’ve invested so much work and money in joining. I don’t need riches, but I need to be able to live, and my future clients will need me to be able to dedicate the time their cases require and deserve. I need to know I will be paid for my work, or I just won’t be able to do it. And where will we be if a thousand people in my position come to that conclusion, and there is no one to replace us?”

That is the point. Where will we be if we stop being able to attract people to practise criminal law? How many miscarriages of justice can we expect for defendants and victims as disclosures are made late, documents are not properly read, and defendants cease to be properly represented? With more cuts planned in the Ministry of Justice, it is clear that this is a targeted assault on the criminal justice system, and that the Government have a flagrant disregard for the future of criminal justice.

The advocates’ graduated fee scheme is the means by which the Government hope to reap some of those cuts. AGFS spending has fallen by 40% since 2010, and given that the new scheme proposed in the regulations is meant to be cost-neutral, this is surely just a case of rearranging the deckchairs on the Titanic. The fact that the views of the Criminal Bar Association have not been listened to also leads me to conclude that the scheme is a sham, and exists purely to deliver cuts for the Government.

There are so many absurdities in the current AGFS system that one would think it had been devised in an “Alice in Wonderland” environment. Why—this question was asked by my hon. Friend the Member for Leeds East (Richard Burgon)—is an advocate who deals with a case involving 250 pages of evidence paid the same as an advocate who deals with one involving 5,000 pages? Why is someone handling a rape case with one defendant and one complainant paid the same as someone else handling a case involving multiple victims and multiple complainants? Why is there no recognition of additional work involved in dealing with vulnerable witnesses, children or people with mental health conditions? Is a standard appearance fee of £90 really acceptable when the cost of catching a train to the court is significantly more? Is a fee of £125 for a sentencing acceptable? Why have fees not gone up since 2007? The Minister and others have claimed that this scheme is an improvement on the previous one, but an improvement on a terrible, failing scheme which makes it into a bad one is, for criminal barristers, no improvement at all.

The impact of the cuts in criminal legal aid will be felt for many years to come, as barristers and solicitors leave criminal justice in their droves. Why would anyone stay in a profession that is incredibly stressful when the pay is barely enough to survive on? Research conducted by Young Legal Aid Lawyers—lawyers with up to 10 years’ experience—revealed that 30% of respondents earned less than £20,000 and 83% earned less than £35,000. Throw into the mix tuition fees for undergraduates and the Bar Professional Training Course, which could leave them with debts of £50,000 or more, and we have a very unappealing set of factors that will repel applicants rather than attract them.

We are approaching a tipping point which, if not addressed, could have disastrous effects on the number of practitioners working in criminal law, and could also have an effect on the quality of the legal advice that people receive. We can forget any diversity or social mobility targets, because unless criminal legal aid is properly funded, only those who are able to afford to support themselves will enter the profession. That threatens the very right to a fair trial, which takes me back to where I started. Unless criminal legal aid is properly funded, which means tearing up the AGFS and starting again, this will sound the death knell for those practising criminal law. I say to the Minister, “You cannot do justice on the cheap.”

9.13 pm

Robert Neill (Bromley and Chislehurst) (Con): It is a pleasure to follow my Justice Committee colleague, the hon. Member for Enfield, Southgate (Bambos Charalambous),
It is important that we are having this debate. I refer Members to my declarations in the Register of Members’ Financial Interests, and to the fact that I have the honour to chair the Justice Committee. During the last Parliament and the one before it, the Committee considered a number of issues affecting remuneration of the Bar and the way in which we operate our criminal justice system, as well as broader issues, and we heard a great deal of evidence. There is no doubt that the debate touches on very serious issues to which there are no easy answers, but it is also a specific debate about a specific statutory instrument. I will therefore do my best, in the time available, to confine myself to its specifics, but I think it right to give a little of the context.

I speak as someone who practised for 25 years at the criminal Bar, who regards it as one of the finest things someone can do, who has friends still in practice at the Bar, and who is conscious of the hours that are worked and the things that are thrown at people at the last minute, that it is a demanding profession and is not well rewarded—and, arguably, is not rewarded as well as it should be in the circumstances. But we should take a step back from that, because some of the things we are talking about have, I regret to say, always been there. The last minute brief was a feature of my very early days in practice and continued all the way through it, and the large quantities of unused material that people were never paid for reading have also always been a feature of the scheme.

I do think, however, that we should perhaps look at future designs of the scheme now, because of the issues we have found around disclosure, which is ever more important and has grown with the use of digital and online material. We need to look again at whether it is reasonable not to fund people for reviewing the disclosure in these cases. I am conscious of that because I prosecuted a case which we rightly abandoned upon its second appeal when disclosure that should have been made was finally—some years too late, I am afraid, for the person serving the sentence—made to us. So we do need to take that seriously, but, again, it is not a part of the debate on this statutory instrument. That system has always been there, and revoking this statutory instrument will not solve the issue of payment for people dealing properly with disclosure, nor will it solve the issues of the late return or the late nights that we have always been used to. Those are broader matters.

It is also worth observing that the pressure on incomes at the criminal Bar, which I accept has been real and not made easy by extraneous factors such as the cost of training, has not occurred only under this Government or the coalition. The hon. Member for Enfield, Southgate referred to there being no increase in fees since 2007, but, going back further, the squeeze at the Bar started under the Blair Government, from 1997 onwards, so the idea that this has been placed upon the Bar by the current Government is not fair and is not based on the evidence.

It is clear that the Bar now has issues with the scheme. I am deeply saddened that colleagues and friends feel unable to accept work under the scheme. Is it perfect? No, I am sure it is not. Would it be better if more money could be found? Yes, I am sure that it would be. Is revoking the instrument going to solve that? No, I do not think it will. We need a much broader and maturely based debate about that.
I was concerned to hear the powerful evidence given to the Justice Committee recently by the Criminal Law Solicitors Association. It was suggested that a duty solicitor was probably less well remunerated than a teacher with comparable experience. In a competitive world, that does not seem entirely fair. They are both demanding jobs, and we need to find a constructive way forward rather than walking away from these matters.

Bob Stewart (Beckenham) (Con): I have had contact with five junior criminal law barristers, and not one of them earns more than £21,000 a year. That means that after they have paid tax and expenses, they have to live on about 10 grand a year, in London.

Robert Neill: My hon. Friend makes an important point; it was in fact the last point I was going to make. If we are to win this debate on fairer funding, we need to get back to a more honest awareness of the realities of remuneration. The press have something to answer for in that regard. It is all too easy to talk about fat-cat barristers and the occasional £1 million-plus fee, which usually relates to a case that lasted about 18 months and was of a highly complex nature. Those sorts of cases are not around any more, for a raft of reasons, and those reports wholly misrepresent the position of the vast majority of barristers, who are working on really modest take-home incomes. Above all, we forget the level of deductions that have to be taken out. My hon. Friend’s point is an entirely fair one. I want to see more money in the system, but that will only come from having a strong and well-managed economy. I want to see more money in the system, but I do not think that this is the right way to go about it.

Andy Slaughter: The Chairman of the Select Committee is making a very good case; but he does not seem to be persuaded by his own advocacy. If this scheme corrects some of the anomalies of the previous scheme, it does so only by reducing the brief fees overall to below a level that was already extremely low. The purpose of annulling the statutory instrument is to make the Government go back and renegotiate on that basis. Does the hon. Gentleman not accept the logic of that?

Robert Neill: I do not accept that logic, persuasive though it might be, because annulling the SI would simply put us back on to the old scheme. I would prefer to bank what we have—imperfect though it is—and move on, pressing the Government to move more swiftly than Ministers currently intend to do on the review of the scheme, and starting to talk urgently, at the earliest possible date, with the Bar Council and the Law Society about what could be changed. I want improvements as possible a date, with the Bar Council and the Law Society as Opposition Members do, but I happen to think about what could be changed. I want improvements as possible a date, with the Bar Council and the Law Society as Opposition Members do, but I happen to think about what could be changed. I want improvements as possible a date, with the Bar Council and the Law Society as Opposition Members do, but I happen to think about what could be changed. I want improvements as possible a date, with the Bar Council and the Law Society as Opposition Members do, but I happen to think about what could be changed. I want improvements as possible a date, with the Bar Council and the Law Society as Opposition Members do, but I happen to think about what could be changed. I want improvements as possible a date, with the Bar Council and the Law Society as Opposition Members do, but I happen to think about what could be changed. I want improvements as possible a date, with the Bar Council and the Law Society.
they not offer an alternative? The hon. Member for Leeds East told us what the Criminal Bar Association wants, but he did not say what he wants or what he believes, and I think he should.

The fundamental problem is that the legal market generally, and criminal law in particular, is totally fragmented, under-capitalised, technologically semi-illiterate and structurally redundant. Criminal practice is characterised by large numbers of barely profitable firms that are all too often unable to properly serve clients through lack of manpower, inability to invest in training of staff and trainees, and a lamentable lack of technology. I recall trying to persuade criminal defence solicitors to take prosecution evidence online rather than in paper bundles, but the resistance was ferocious. Why? Because large numbers of solicitors were running their small practices from their homes and could not afford to invest in the required technology. That type of inefficiency also goes to the Bar, with advocates often getting court papers late, which may have worked for the single lever arch file deposited in times gone by, but with not the online data dump that can now be sent. As has been said this evening, young barristers will often effectively work for nothing, which itself is a barrier to diversity and to poorer people entering the profession. I could go on with such examples at length, but hon. Members will get the picture.

The answer to this situation, without any doubt, will involve consolidation of this fractured nineteenth-century legal services marketplace. Although the number of small firms has slowly reduced in recent times, the most practical way to aid the process would be a larger-scale system of contracting for legal aid work. That would involve fewer but larger practices operating over a larger area, resulting in fewer firms receiving a larger slice of the remaining pie on a single-fee basis. In turn, it would create firms that have the money to invest in training and technology, and with the size and depth required properly to cover the contract areas.

Yes, we have more data than ever before, but charging to read it on a per page basis is simply outdated. Most of the extra data is useless guff from, say, social media. The answer is to have firms of lawyers that are able to invest in the technology now available to sort the wheat from the chaff. That will only come from market consolidation, and a vital aspect of that will be to treat barristers and solicitor equally. If teams of barristers wish to compete for legal aid contracts, they should be free to do so, in the same way as sole-practitioner solicitors band together with other solicitors, or indeed with barristers, to bid for contracts.

The Legal Services Act 2007, brought in by the last Labour Government with Conservative support, provides the necessary mechanism—the alternative business structures—for that to happen. Solicitors and barristers could work together, and the alternative business structures could raise capital and employ non-legal executive managers to run an effective business. We would then start to see a sustainable market taking shape.

I have some sympathy with those who complain that the criminal justice system is creaking at the seams, but rather less sympathy with those who say that the answer is more of the same. We need to face up to the need to change the rules of the game and of the marketplace. The tools and answers are certainly out there if we are prepared to take the required steps.

9.33 pm

John Howell (Henley) (Con): As a non-lawyer, I will start by looking at the justice system as a whole. In doing so, I see that the courts need to become online courts—I have discussed that with Lord Briggs and have seen how it is developing. I see the Ministry of Justice bringing forward online divorces, which is an interesting proposal. I also see £1 billion being put into court reform and modernisation, which will improve working conditions for those in court and speed up many paper-based activities. Finally, I see modernising reforms in other areas, such as the Crown court digital case system, to encourage electronic evidence.

Those reforms create a simpler, fairer and more modern payment scheme for all advocates. As has been described, it replaces an archaic system, under which barristers billed by pages of evidence, regardless of the level of complexity or the work involved. This is not a cut to barristers’ fees. In fact, the Ministry of Justice estimates that around two thirds of advocates would have benefited from the new schemes had they been in place in 2016-17.

The Minister has said that she has listened carefully to the views of respondents, particularly the concerns raised in relation to junior advocates in the solicitor and barrister professions alike, and that the rebalancing she has done has been to everyone’s advantage. I do not think this statutory instrument should be revoked, and I am happy to support the Government on this.

Alex Chalk (Cheltenham) (Con): When it comes to the opposition to the changes to the graduated fee scheme, the Government are entitled to feel a little perplexed because the changes were discussed with the leadership of the Bar. Francis Fitzgibbon, QC, then chair of the CBA, said that “the CBA believes that the new scheme is a great improvement on what has gone before, and we should at least give it a cautious welcome as a step in the right direction.”

Secondly, the aim of the changes, to rebalance public funding so it rewards the junior Bar more fairly, is unassailable. On that point, I will support the Government tonight.

It would be a great mistake to misread the message coming from the Bar, because my clear sense is that its protest is not really about the intricacies of these specific provisions. Instead, it reflects years of pent-up anguish and frustration about the state of the criminal defence profession and, indeed, a profound sense of foreboding for its future.

The Bar is in a fragile state and needs decisive support, but it does not lie in the mouth of the Labour Opposition to make criticisms about on that, because I know full well from having been a practitioner at the time that, at a time of rising budgets across the piece in health and education during the late 1990s and in the first decade of the 21st century, Labour failed time after time to put more money into the Bar. In 2003, Tony Blair spoke of the “gravy train” of legal aid. In 2006, Lord Falconer referred to the legal aid bill as being “unsustainable”, and there were further plans to cut it in 2010. One has to consider those remarks with great care.

I wish to make some brief observations in the time available; I wanted to say a lot more but I shall confine myself to this. When considering the amount we spend
on justice and legal aid, we should put it in context. Treasury Red Book figures show that total public sector spending for 2018-19 is expected to be £809 billion. The total Ministry of Justice budget is less than £7 billion. To put that in context, more is spent on welfare and pensions in two weeks than is spent on justice, and the amount spent on international aid—about £14 billion—is approximately double the entire justice budget. To put it another way, we spend more on the aid effort in Syria alone than we do on the entire legal aid budget in our country.

There are concerns about where this all heads. There will be difficulties with recruitment and retention, and we cannot have a situation where this is a just a job for posh kids with a private income. There is also a risk of injustice. If people are not available to do the work we require them to do, it will not just be a case of people in the willingness to root out what is absolutely necessary, fearlessly, on behalf of a client. That cannot be replicated.

Robert Neill: My hon. Friend is absolutely right on that last point about the motivation of barristers. Does he agree that one of the important qualities that the independent Bar brings, as indeed does an objective solicitor, is precisely that word—objectivity? The objectivity brought by a barrister has been seen in many cases, for example, those where disclosure failures have occurred, and in the willingness to root out what is absolutely necessary, fearlessly, on behalf of a client. That cannot be replicated.

Alex Chalk: That objectivity is vital. In the United States, they have dyed-in-the-wool prosecutors. I remember the case of Michael Jackson, with Tom “Mad Dog” Sneddon; all these people do is prosecute. One great value we have in this country is that people prosecute and defend. That level of objectivity is fantastic. It also means that people are incentivised to go the extra mile, because you are only as good as your last brief.

The criminal Bar is precious. This is not about sentiment. This is a flint-eyed assessment of a real and pressing need. Once this matter is over tonight—I will vote with the Government, because the Opposition’s proposal is, with respect, misconceived—I urge the Government to look again at how the criminal Bar can be supported, as there is a pressing need.

9.38 pm

Bob Stewart (Beckenham) (Con): We cannot have those with the ability and will to try to enter the criminal law profession impoverished by debt and a lack of basic resources to live, especially those who come from perhaps a more humble background. The new scheme seems to distribute some money from middle or senior junior barristers to the more junior barristers, but I gather the effect on senior junior barristers could be a fall in income of as much as 35%, but the impact on the most junior criminal barristers is simply not very much. The truth is that the system does need more money, which cannot be found simply by switching around payments within it. Criminal barristers are self-employed and they must also meet the unavoidable overheads of practising, which normally range from about 25% to 35% of their income. There is no entitlement to pensions, holiday pay, sick pay or, indeed, maternity or paternity pay. Assuming a junior criminal barrister earned a total of, say, £60,000 annually, after they paid overheads and pension contributions and compensated for holidays, he or she would probably present an income of only around £30,000 to Her Majesty’s Revenue and Customs.

A career at the Bar is insecure and financially uncertain: trials can be moved by judges without consultation; witnesses can be taken ill; defendants may accept advice to plead guilty; and charges may be dropped. All can have a significant impact on barristers’ income, without warning. In such an uncertain climate, reasonable fees are necessary. The level of debt with which new criminal law barristers must deal, insufficient fees and increased overheads makes a social and family life almost impossible. I understand that right now morale is low and dismay universal among junior criminal barrister and, indeed, among some senior junior barristers, too. I very much hope that the Minister can tell me honestly that junior criminal law barristers will have a much better deal than they had in the past.

Question put.

The House proceeded to a Division.

Mr Deputy Speaker (Sir Lindsay Hoyle): I ask the Sergeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 252, Noes 300.

Division No. 151

AYES

Abbott, rh Ms Diane
Alexander, Heidi
Ali, Rushanara
Amessbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Cable, rh Sir Vince
Cadbury, Ruth
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyne, Neil
Crausby, Sir David
Creyasy, Stella
Craddocks, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davey, rh Sir Edward

A NO
Jones, Sarah
Jones, Mr Kevan
Jones, Helen
Jones, Graham P.
Jones, Gerald
Johnson, Diana
Jarvis, Dan
Jardine, Christine
Hussain, Imran
Jardine, Christine
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Howarth, Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Rudda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sheerman, Mr Barry
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, 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
Adams, Nigel
Afolami, Bim
Afrinie, 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, Harriet
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Breereton, Jack
Bridgen, Andrew
Brine, Steve
Brooke, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Stevens, Jo
Stone, Jamie
Streeting, Wes
Tami, Mark
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timm, rh Stephen
Trickett, Jon
Turley, Anna
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitfield, Martin
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Stephanie Peacock

NOES
Burns, Conor
Burt, rh Alistair
Cairns, rh Alan
Campbell, Mr Gregory
Carlisle, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Philip
Davies, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Downen, Oliver
Doherty, Jackie
Drax, Richard
Question accordingly negatived.

Business without Debate

DELEGATED LEGISLATION

Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, we shall take motions 8 to 10 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

LOCAL GOVERNMENT

That the draft West Suffolk (Local Government Changes) Order 2018, which was laid before this House on 19 March, be approved.

That the draft West Suffolk (Modification of Boundary Change Enactments) Regulations 2018, which were laid before this House on 19 March, be approved.

COMPETITION

That the draft Enterprise Act 2002 (Share of Supply Test) (Amendment) Order 2018, which was laid before this House on 15 March, be approved.——[Chris Heaton-Harris]

Question agreed to.
TRANSPORT COMMITTEE

Ordered,
That Martin Vickers be discharged from the Transport Committee and Jack Brereton be added.—(Bill Wiggin, on behalf of the Selection Committee.)

PETITION

Royal Bank of Scotland closure in Saltcoats

9.59 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I rise to present this petition from the residents of the North Ayrshire and Arran constituency, which attracted 564 signatures, gathered by myself, dedicated Saltcoats Scottish National party activists and our SNP councillors, to express our concern at the proposed closure of the Royal Bank of Scotland branch in Saltcoats.

The petition states:
The Petition of residents of North Ayrshire & Arran,
Declares that proposed closure of the 3 branches of the publicly-owned Royal Bank of Scotland in the areas of Kilbirnie, Kilwinning & Saltcoats will have a detrimental effect on local communities and the local economy.

The petitioners therefore request that the House of Commons urges Her Majesty’s Treasury, the Department for Business, Energy and Industrial Strategy and the Royal Bank of Scotland to take into account the concerns of petitioners and take whatever steps they can to halt the planned closure of these branches.

And the petitioners remain, etc.

Homeopathy: Veterinary Medicine

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

10.1 pm

David Tredinnick (Bosworth) (Con): This debate is very timely because of the recent changes that the Royal College of Veterinary Surgeons has made to its guidelines, which have angered the public and homeopathic vets alike and triggered two marches to the headquarters of the RCVS and a rally in Parliament Square, at which I had the honour of speaking. I am happy to see the Minister for Agriculture, Fisheries and Food, my hon. Friend the Member for Camborne and Redruth (George Eustice), in his place, not least because my family come from Redruth and were mining engineers—I am attempting to engender a little sympathy from him before I proceed.

The key issue is a new requirement in the guidelines that homeopathy should only be used in conjunction with conventional medicine. The second issue is the highly contentious assertions made by the Royal College of Veterinary Surgeons about a lack of evidence and safety and animal welfare, which are apparently related in this instance. The third issue is a lack of consultation.

The RCVS did not consult at all the people who know the subject—the Faculty of Homeopathy, the British Association of Homeopathic Veterinary Surgeons, the International Association for Veterinary Homeopathy, the European Committee for Homeopathy and the Homeopathy Research Institute. None of those organisations was consulted prior to the issuing of these guidelines. After the second march, the RCVS graciously agreed to meet a delegation, but sadly the delegation wrote to me afterwards saying:

“It became apparent that there was a total lack of understanding of the principles of homeopathy.”

It invited the RCVS to visit a practice, but I am not sure that that offer has been accepted.

I wrote to the RCVS, and it replied to my letter with, I regret to say, three glaring errors. First, it cited the 2010 report of the Science and Technology Committee, which it said “concluded that the evidence base shows that homeopathy is not efficacious”.

It never did anything of the sort. I attended that Committee, and it was an evidence check. It only found that there was no evidence; it did not make any findings about effectiveness.

Secondly, the RCVS claims: “we have not sought to remove choice as this remains”. It does not. Choice has been removed, because before these guidelines came out, homeopaths could practise without using homeopathy and conventional medicine together. Thirdly, the RCVS made claims about animal welfare issues. This is very important, and I asked a parliamentary question, to which my hon. Friend the Minister graciously replied:

“The Department does not have any evidence that shows that homeopathic vets are a risk to animal welfare by using homeopathy as an alternative treatment to conventional medicine options.”

Jim Shannon (Strangford) (DUP): I sought the hon. Gentleman’s permission to intervene, and I thank him for letting me do so. Does he not agree that with the rise
in antibiotic use in animals—it is very pertinent at this
time—anything that can prevent the introduction of
antibiotics can only be a good thing and must be given
full consideration? Perhaps the Minister could tell us in
his response what he is doing through his Department
to reduce antibiotic use in animals.

David Tredinnick: The hon. Gentleman speaks with
wisdom and experience. No doubt, he too has looked at
the European position, which is completely the opposite
of the one taken by the RCVS. There is a European
directive on organic products, which states in article 24(2)
of the one taken by the RCVS. There is a European
position, which is completely the opposite
during the 2010 to 2015 Parliament, R oger Williams,
placebo-controlled trials. F armers do understand them,
Buttercup and Daisy do not understand double blind
definitions.

This is at a time when, according to the British
Association of Homeopathic Veterinary Surgeons, there
is an explosion of interest in homeopathy, largely I
would suggest because of the antibiotics problem. It says
there is an explosion of interest in CAM—
complementary and alternative medicine—
including Homeopathy, in the agricultural sector where the
drive is to reduce and replace dependence on antibiotics in light of
Antibiotic Resistance...concerns.

Dr David Drew (Stroud) (Lab/Co-op): Does the hon.
Gentleman accept that this threatens biodynamic
agriculture, which is a particularly interesting and growing
part of the agricultural sector?

David Tredinnick: The hon. Gentleman makes his
point well. The most successful methods for coping
with this antibiotic problem are actually complementary
and alternative medicines, of which homeopathy is proving
one of the most successful modalities.

The placebo argument—that this is all in the
imagination—is often used against homeopathy, but
Buttercup and Daisy do not understand double blind
placebo-controlled trials. Farmers do understand them,
and when I sat on the Science and Technology Committee
during the 2010 to 2015 Parliament, Roger Williams,
the then Member for Brecon and Radnorshire from the
Liberal Democrats, told me, “As a livestock farmer, I of
course use carbo veg”—Carbo vegetabilis, which is
known colloquially as the corpse reviver—“when I can’t
do anything else with an animal that I think is going to
die.” It is very often the medicine of last resort both for
animals and, of course, for humans. Farmers will not
waste money on something that does not work, as I am
sure my hon. Friend the Minister agrees.

As I mentioned at Prime Minister’s questions two
weeks ago, the World Health Organisation says that
homeopathy is the second largest medical system in the
world, with 300,000 doctors treating 200 million patients
annually. I suggest to my hon. Friend that that is pretty
powerful evidence—they would not otherwise be training
and practising—and we should look at that. There are
actually 700 vets in 36 countries who are members of
the International Association for Veterinary Homeopathy.
The German Ministry of Food and Agriculture backs
homeopathy. In January 2018, it said that it
“supports the use of homeopathic remedies and the free choice of
therapy for veterinarians.”

Why are we getting all these attacks? It actually has
nothing to do with healthcare—it is to do with protecting
vested interests, and a sense of defensiveness against the
perceived threat to conventional practitioners, to drug
companies supplying drugs and to currently held scientific
beliefs. The scale of the vicious attacks that colleagues
have had over the years by those opposed to homeopathy
is testament to that. Given the hate mail that has been
sent to MPs during past Parliaments, jamming their mail
boxes, I believe those people could now face prosecution
under new legislation. They ridicule and humiliate anybody
who supports this very valuable branch of medicine.
They use legal threats to clinical commissioning groups.
I am kind of curious about this—I have a feeling that
the Royal College of Veterinary Surgeons was itself
threatened with legal action by this group. Once there is
a writ and something is through the door, of course, the
whole legal process starts; that is why I had a letter from
a lawyer of theirs.

The antis also claim that there is no scientific evidence
that homeopathy works, but of the 189 randomised
control trials up to 2014, 41% were positive, finding that
homeopathy was effective. The figures for conventional
medicine are just about the same, at 44%. There is no
difference. There is good statistical evidence that both
homeopathy and conventional medicine work.

I also had the honour to serve on the Health Committee
in the 2010 to 2015 Parliament; in fact, I chaired it for a
while, when we got the long-term care and conditions
report out. In 2014, I cross-examined the Secretary of
State for Health about his views. He said:
“the system we have is that we allow GPs to decide whatever they
think is in the clinical interests of their own patients.”

If my memory serves me well, the Parliamentary Under-
Secretary of State for Health and Social Care, my hon.
Friend the Member for Winchester (Steve Brine), who
has subsequently signed a motion, was one of those
under attack for supporting homeopathy. He said in
answer to a question:

“Complementary and alternative medicine treatments can, in
principle, feature in a range of services offered by local NHS
organisations, including general practitioners.”—[Official Report,
14 November 2017; Vol. 631, c. 149.]

Mr Alistair Carmichael (Orkney and Shetland) (LD):
I should first declare an interest: my wife is a practising
veterinary surgeon and a partner in a veterinary practice.

I gently suggest to the hon. Gentleman that he needs
to be a little careful about conflating medicine for
humans with medicine for animals. As a human, I am
able to make these choices for myself; animals are not in a position to do that for themselves. That is why we have to approach the two disciplines differently.

David Tredinnick: The right hon. Gentleman makes his point. They are different: as far as animals are concerned, we cannot run trials; we can only take a view on how the medicine or treatment is working. I put it to the right hon. Gentleman that farmers are not so foolish as to spend a lot of money on something that does not work. They see it working over a long period of time.

I have an informal arrangement with the Minister to give him the full time of a quarter of an hour to respond. In the past, I have noticed that colleagues can run away with themselves, leaving only five minutes for the Minister, who says that they do not have enough time to speak. This Minister will have lots of time to speak.

Chris Davies (Brecon and Radnorshire) (Con): My hon. Friend has clearly raised the fact that the Royal College of Veterinary Surgeons very much opposes homeopathy, but we have not mentioned the British Veterinary Association, which was equally opposed. My understanding is, however, that its mood may be mellowing towards homeopathy. Has my hon. Friend’s hard work paid off; I wonder?

David Tredinnick: One or two things have been “going off”, as they say nowadays, for the last few weeks, including questions and marches.

To sum up, in veterinary medicine there is room for all. Of course there is room for conventional medicine; we cannot produce a calf from a struggling cow unless we use conventional medicine. There is room for conventional and homeopathic medicine: on that much I agree with the Royal College of Veterinary Surgeons. But there is also room for stand-alone homeopathy, as there always has been—there is no need to change the playing field. Nearly two weeks ago, I asked the Prime Minister, during Prime Minister’s questions, to approach the two disciplines differently.

The Minister for Agriculture, Fisheries and Food (George Eustice): I congratulate my hon. Friend the Member for Brecon and Radnorshire (Chris Davies) on securing this important debate. With a name like Tredinnick he could only hail from Redruth, where it is a very common name. Anything that begins with the letters “tre” tends to be from Cornwall.

I recognise that my hon. Friend has been a very long-standing campaigner for alternative medicines in general and homeopathy in particular. I do not have any particular strong convictions one way or the other on this issue, but I recognise that the consensus among veterinary opinion is one of scepticism. Before addressing the specific issues he raised, I want to start by making a couple of more general points.

As a point of general principle, I do not agree that contrarian viewpoints in science should be deemed or labelled as some form of scientific heresy. Those who, like me, believe in an enlightened approach to evidence should always welcome and engage in debate, and should never tolerate the tactics of bullying, abuse or ridicule. I recognise that my hon. Friend has suffered a lot of this behaviour himself in this sometimes fraught debate. Let me say that I find that unacceptable, irrespective of one’s views on the issue. Even those who believe strongly and passionately disagree with homeopathy and disagree with the evidence supporting it should recognise the value in discussing it so that it provides a reference point for their own version of the truth.

Traditionally in science it has been very important to observe, through scientific trials and scientific evidence, to try to discern patterns and then, having discerned and observed patterns, try to build a more precise body of evidence in the form of statistics. I think it is fair to say that in recent decades there has been a tendency in science to neglect those basic skills of observation and instead to just resort to narrow statistics and what can be measured. My hon. Friend, irrespective of different views we might have, raises a valid point about that tendency in modern science, which can mean that we sometimes miss things that are important.

The Royal College of Veterinary Surgeons has a role in maintaining a register of qualified vets. This is, effectively, a system of self-regulation underpinned by statute. It has a royal charter that dates back to 1844. The Veterinary Surgeons Act 1966 established a statutory role for it to recognise qualified vets. Under the 1966 Act, the RCVS has a role in maintaining a register. It also has a role in regulating the conduct of its professional members, supervising the registration of its members and suspending registration where it believes there has been a breach of its code. However, it is not the role of the RCVS to make decisions on veterinary medicines or indeed veterinary treatments. The Veterinary Medicines Directorate is a Government agency that makes evidence-based assessments of veterinary medicines.

Homeopathic products are not formally assessed for their efficacy, but they are assessed for their quality and safety. Their use is therefore lawful. I know that the RCVS statement in November 2017 caused quite a lot of controversy. As my hon. Friend pointed out, there have been protests and much disquiet among some of those vets who practise homeopathy. I should perhaps point out an interest here. In my constituency of Camborne and Redruth I have a fantastic charity called the Cinnamon Trust. It mobilises thousands of volunteers right across the country to visit the homes of the elderly who are no longer able to walk their own dogs and to walk those dogs for them. This fabulous charity means that the volunteers give social contact to those elderly people by taking their dog for a walk and they make sure that elderly people, often suffering from loneliness, can enjoy the companionship of pets with the help of volunteers.

That charity engages a conventional vet who occasionally uses some homeopathic therapies. I am told by veterinary practitioners of homeopathy that they believe they see results for a number of particular conditions. Cushing’s disease in horses is mentioned—a condition that afflicts...
older horses and can lead to lameness—and I am also told that it can be effective when dealing with arthritis in older dogs and in managing some symptoms of certain cancers. Practitioners argue that for certain conditions that principally affect older animals, when conventional medicines have run their course and they have run out of options, homeopathy can help to manage a condition. I am told that homeopathy is at times quite useful when there may be side-effects from using more conventional veterinary medicines, or when there are allergies from their use.

A debate has always been had about the evidence and the quality of the evidence base, but as my hon. Friend pointed out, there are practitioners out there who believe that they see some results in some circumstances, and they can see they do not see those in all circumstances. Certainly, some of the vets that I have spoken to who practise homeopathy are very clear that this complements their approach to conventional medicine. When they believe that conventional veterinary treatments have run their course and can offer nothing further for a particular animal, or are not giving them the results they want, they will sometimes choose, as an alternative, to use complementary approaches and practices.

The RCVS statement, having sparked controversy, has been the subject of some discussion between the Department for Environment, Food and Rural Affairs and the RCVS, which has confirmed it is not at all its intention to ban the use of homeopathy. I understand that its concern is that in some instances, some vets, rather than using homeopathy as a complementary approach alongside conventional medicine, are perhaps refraining from using other, possibly more effective, conventional medicine in preference to homeopathy. In some cases, the RCVS believes that that may be affecting the welfare of the animal. It assures us that that is what it is attempting to address and that it has no intention to ban the use of homeopathy by its members. I hope that I have reassured my hon. Friend that that is the position that the RCVS has set out to us.

Since I have the luxury of time, I want to pick up on the point made by the hon. Member for Strangford (Jim Shannon) about antibiotic use. He is right: this is something that we are keen to reduce, and the O’Neill report set out some detailed approaches for doing that. It is also the case that adopting a different approach to livestock husbandry and using vaccines in a more effective way, rather than antibiotic treatments, is part of the key to getting down our use of antibiotics.

Mr Carmichael: I am grateful to the Minister for allowing an intervention. Has any advice that has been given to him on reducing antibiotic use recommended the use of homeopathic remedies?

George Eustice: No, I have not had any advice to that effect, but there are other approaches. For instance, one thing that we know can reduce the use of antibiotics in pigs is the gentle acidification of the water. We also know that turning animals out to grass in the spring can reduce the disease load and reduce the need to use antibiotics. Turning animals out to grass is quite difficult to measure, but we know that it is good for animals. On his specific point, no I have not had any such advice, but we are doing a great deal to reduce our use of antibiotics, since it is a very important issue.

In conclusion, we have had an interesting debate. I commend my hon. Friend for raising this issue.

David Tredinnick: I am nervous that my hon. Friend is about to sit down, in which case the debate will be over, so, as we have a little time, I want to take this opportunity to thank him for coming. That a Minister of State, not an Under-Secretary, is responding indicates the deep concern in DEFRA about this. Given the exchanges and public interaction, and his own conversations with the RCVS, surely we are all on the same side and what we need is for the RCVS to go away, take cognisance of what has transpired in the last couple of weeks and see if it cannot come up with something that might make everybody happy.

George Eustice: As I said, the RCVS has sought to be very clear that it is not banning the use of homeopathy by vets; it is not even its place to do that—were that to happen, it would be for the VMD—but my hon. Friend raises an important point. The RCVS might want, in its council and among its members, to clarify what it actually means, which I understand to be as follows: it is not banning the use of homeopathy, but vets who use it should use it to complement other approaches, possibly where those are not proving effective, and not refrain from using approaches that might be more effective in order to practise homeopathy in isolation. I think that was its point, but I am sure it would be happy to clarify the matter.

Question put and agreed to.

10.26 pm

House adjourned.
House of Commons

Wednesday 9 May 2018

The House met at half-past Eleven o'clock

PRAYERS
The Chairman of Ways and Means took the Chair as Deputy Speaker (Order, 8 May, and Standing Order No. 3).

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Two-child Tax Credit Cap

1. Danielle Rowley (Midlothian) (Lab): How many women in Northern Ireland have applied for an exemption to the two-child tax credit cap on the ground of non-consensual conception. [905142]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr Shairess Vara): May I start by paying tribute to Stephen Neil Heaney, who tragically died while taking part in the Belfast city marathon a few days ago? I think that the whole House will join me in conveying our deepest sympathies and condolences to his family and friends.

The implementation process for child tax credit is a devolved matter in Northern Ireland. To protect claimant confidentiality, the Department for Communities in Northern Ireland has established an exceptions team to handle any applications for benefit payments for a third child under an exemption to the two-child tax credit cap on the ground of non-consensual conception. The Department has advised that, to date, the team has received no applications for an exemption on the ground of non-consensual conception.

Danielle Rowley: Many women say that they are put off applying for this abhorrent exception under the rape clause due to shame, trauma or perhaps fear. In Northern Ireland, women and those who assist with and endorse their applications, such as GPs, social workers and midwives, face an extra hurdle, as they risk prosecution under section 5 of the Criminal Law Act (Northern Ireland) 1967 for failing to report details of a crime. What is the Secretary of State doing to support women in Northern Ireland and protect them from that risk?

Mr Vara: The hon. Lady raises a sensitive issue, which is being treated sensitively by all concerned. She will appreciate that criminal law is a devolved matter, but I can assure her that in the 50 years since 1967, when section 5 was introduced, no prosecutions for failing to report a rape case took place. The outgoing Director of Public Prosecutions has said that it would be highly unlikely that one would happen in the future.

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2. Stella Creasy (Walthamstow) (Lab/Co-op): What steps she is taking to support equality and human rights in Northern Ireland; and if she will make a statement. [905143]

The Secretary of State for Northern Ireland (Karen Bradley): This Government have a strong track record of supporting equality and human rights across the whole United Kingdom.

Stella Creasy: “Cruel, inhumane and degrading”—not my words, but those of the United Nations on our treatment of women in Northern Ireland. Given the absence of an Assembly, why does the Secretary of State choose to recognise the importance of a free vote in this place on same-sex marriage while refusing to extend the same protection to Northern Irish women’s fundamental right not to be forced to continue an unwanted pregnancy?

Karen Bradley: The hon. Lady knows that abortion is a very sensitive issue, and there are strongly held views on both sides of the debate. It is also a devolved matter,
as she has said. She refers to the fact that I am on record as saying that a vote on same-sex marriage, among Government Members, is a matter of conscience, and that is also true for abortion. But it would not be right for the UK Government to undermine the devolution settlement by trying to force on the people of Northern Ireland something that we in Westminster think is right; the people of Northern Ireland have to make that decision.

Dr Andrew Murrison (South West Wiltshire) (Con): On equality, does my right hon. Friend agree that there is a real danger that the Stormont House agreement institutions might act against the interests of servicemen and former members of the security services, and give an unfair advantage to former paramilitaries? In particular, does she share my concern that, without checks and balances, those institutions might create a form of historical revisionism that casts members of the security services in an unfairly poor light?

Karen Bradley: My hon. Friend, who of course was instrumental in the Stormont House talks that led to the agreement on those institutions, will know that the current status quo involves a disproportionate emphasis on the actions of the military and law-enforcement bodies during the troubles, and really very little emphasis on the actions of paramilitary terrorists, who were responsible for 90% of the killings. That is why I want a consultation on the institutions so that they are set up in a way that addresses the concerns that my hon. Friend raises and deals with the issues of the past.

Lady Hermon (North Down) (Ind): With regard to equality, there appears to be one law for Members of the Legislative Assembly and another for everyone else. What excuses will the Secretary of State offer today for continuing to allow MLAs to receive their full salary when they have not been doing their full job for over a year?

Karen Bradley: I am offering no excuses; I intend to act on this issue. As the hon. Lady will know, I legislated on MLA pay at the beginning of the year to stop the £500 increase. I have been considering what to do with the Trevor Reaney recommendations and other representations, and I will make announcements in due course.

Mr Mark Francois (Rayleigh and Wickford) (Con): I would like to ask a question about the human rights of our brave servicemen who served in Northern Ireland for so many years, without whom there would be no peace in Northern Ireland today. May I make an early submission to the consultation? May I tell the Secretary of State, in all candour, that many of us on the Government Benches would not be prepared to trample blithely through the Lobby to support setting up any institution that would scapegoat our military veterans in order to pander to Sinn Fein?

Karen Bradley: My right hon. Friend is absolutely right—I agree with him. There is no way that I, as Secretary of State, am prepared to do anything that makes the situation more difficult for our veterans. We owe them thanks for the relative peace that we see today in Northern Ireland. They served with incredible dignity and duty, and I respect that, which is why I want to ensure that we deal with the situation. The status quo is not good enough. The only people getting knocks on the door from the police to tell them that they face inquests are the military. We need to change that, which is why we need to issue a consultation.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): When veterans living in England, Wales or Scotland apply for a post with Border Force, their former service in the armed forces is taken into account, but that is not so for veterans in Northern Ireland. That is based on advice given to the Home Office by the so-called Equality Commission for Northern Ireland, which claims that equality laws in Northern Ireland do not undermine the military covenant. Well, it has been caught out well on that one.

Karen Bradley: I am well aware of the matter and have taken it up with the Home Office. I hope to be able to report back shortly.

Inward Investment

3. James Cleverly (Braintree) (Con): What progress has been made on attracting inward investment to Northern Ireland.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr Shailesh Vara): With support from this Government, Northern Ireland stands among the UK’s most popular inward investment destinations. We have increased the block grant in real terms, proposed a city deal for Belfast, with more to follow, and created business opportunities through our industrial strategy. Ultimately, however, political stability is key to economic growth, and that means a restored Executive delivering for the Northern Ireland economy. That remains my overriding priority.

James Cleverly: I am sure that my hon. Friend and the rest of the House welcome the news of Bombardier’s investment in Northern Ireland. My constituency is dominated by small and medium-sized enterprises, and I am sure that the economy of Northern Ireland reflects that. What is his Department doing to ensure that SMEs also benefit from inward investment in Northern Ireland?

Mr Vara: My hon. Friend makes an excellent point. He is right to point out the importance of small and medium-sized businesses, which do a fantastic job in Northern Ireland and contribute a huge amount to the local economy. I have met many of those small businesses, and I have nothing but praise for them. They have contributed to the 52,000 more jobs and 12,300 more businesses since 2010. The Government will continue to engage with organisations such as the Federation of Small Businesses and Invest Northern Ireland so that those small businesses can fulfil their maximum potential.

Deidre Brock (Edinburgh North and Leith) (SNP): There is no progress on the border’s status after Brexit, which will crunch inward investment badly unless Northern Ireland remains part of the customs union. The alternative is a border in the Irish sea. Which is more likely: customs union or sea border?
Mr Vara: I am afraid that the hon. Lady should deal with facts rather than what analyses say. If she took an interest in what the Belfast Telegraph has to say, she would have read on Wednesday 2 May the inside-page headline, “Top US software firm to create 50 new jobs in Belfast investment”. My hon. Friend the Member for Braintree (James Cleverly) has welcomed the new Bombardier contract, which is worth more than £500 million. I am afraid the facts are that business is continuing, and continuing to prosper.

Sir Mike Penning (Hemel Hempstead) (Con): One of the reasons why there is so much inward investment in Northern Ireland is the peace created by our soldiers, policemen and special forces, with whom I had the honour of serving in the 1970s. If we are to honour the bravery of people such as Robert Nairac and my other colleagues who lost their lives in the Province, the consultation should flatly say, “We are not having a conversation. We will protect our soldiers, putting them first and the terrorists second.”

Mr Vara: My right hon. Friend makes some very good points. He will be aware of the ongoing discussion about the consultation, but he will appreciate that I will not make any further commitments at this stage.

Tony Lloyd (Rochdale) (Lab): If we are to maintain a stable economic environment for inward investment, if we are to have democratic oversight of decisions such as that of the Belfast Health and Social Care Trust to recall neurology patients and, indeed, if we are to have a legislature in Northern Ireland that is capable of changing the law for victims of rape who may fall foul of the UK Government’s foolish two-child policy, we need the Stormont Assembly back in action. Can we have a very clear road map from the Minister today setting out how the Government intend to get that Assembly back in operation?

Mr Vara: I welcome the hon. Gentleman to his new position. Both the Secretary of State and I very much look forward to working with him constructively. He raises a good point about the need to have the devolved Assembly up and running again, and I assure him that the Secretary of State, the Prime Minister and I, and all those concerned, are very keen to do so.

We are doing an enormous amount. The hon. Gentleman will be aware there were intensive talks in February, when the two main parties in Northern Ireland got close but not close enough. We are not giving up. Indeed, my right hon. Friend the Secretary of State is having regular conversations with the parties. Only a couple of weeks ago she met the five main parties with a view to seeing how we can make progress and get the Assembly up and running.

Leaving the EU: Border Checks

4. Peter Grant (Glenrothes) (SNP): What estimate the Government have made of the number of customs officials that will be required to conduct border checks in Northern Ireland after the UK leaves the EU.

5. Alan Brown (Kilmarnock and Loudoun) (SNP): What estimate the Government have made of the number of customs officials that will be required to conduct border checks in Northern Ireland after the UK leaves the EU.

The Secretary of State for Northern Ireland (Karen Bradley): The Government’s policy on future customs arrangements in Northern Ireland is very clear. We will not accept a border between Northern Ireland and the rest of the United Kingdom, and we are committed to avoiding a hard border with Ireland, including any physical infrastructure or related checks and controls.

Peter Grant: The Good Friday agreement, which underpins the peace process in Northern Ireland, was not universally welcomed, although it was overwhelmingly welcomed on both sides of the border. One main pillar of the agreement is that there will be no border infrastructure between the north and the south of Ireland. Why can the Secretary of State not tell us categorically today that the answer to my question is that no additional customs officers will be needed for the Irish border? Is it because the Government are going soft on their commitment to the Good Friday agreement?

Karen Bradley: The Government’s commitment to the Belfast agreement and to the joint report that was issued before Christmas is steadfast—we remain committed to all.

Alan Brown: The Home Office has pledged to recruit an extra 1,300 customs officials by December 2020. How many of them will be based in Northern Ireland, and how many will be based on the Irish border?

Karen Bradley: I repeat that we remain committed to what we set out in the joint report that was issued before Christmas, which means that there will be no new physical infrastructure between Northern Ireland and Ireland, and no border down the Irish sea.

John Mc Nally (Falkirk) (SNP): What estimate the Government have made of the number of customs officials that will be required to conduct border checks in Northern Ireland after the UK leaves the EU.

Karen Bradley: The reassurance I can give to those businesses is that this Government are committed to leaving the customs union, and to doing so in a way that respects our commitments under the Belfast agreement and the joint report for no hard border on the island of Ireland.

Mr Laurence Robertson (Tewkesbury) (Con): Is it not the case that we cannot know what arrangements, if any, will be needed on the Irish border until we know what kind of deal we have got with the European Union? Is not the EU putting the cart before the horse when it insists on arrangements being made now?

Karen Bradley: My hon. Friend makes an interesting point but, as I say, the Government are committed to no hard border, no new physical infrastructure at the border, and no related checks and controls at the border. I hope that that is clear enough.
Charlie Elphicke (Dover) (Ind): Does the Secretary of State agree that with investment in technology, and investing now, we can be ready on day one for trade to continue on the island of Ireland as it has always done, and that there will never be any need for physical infrastructure or customs checks at the border?

Karen Bradley: It would not be right for me to comment on the work that is being done within government on customs arrangements, suffice it to say that we are committed to no hard border on the island of Ireland, no border down the Irish sea, no new physical infrastructure, and no new related checks and controls.

Bob Blackman (Harrow East) (Con): Does my right hon. Friend agree that as it is our policy that there will be no hard border between the Republic and the north, there is no need for any extra officials, but that if Brussels insists that the Republic puts in a hard border, the customs officials will be required in the Republic, not in Northern Ireland?

Karen Bradley: My hon. Friend makes an interesting point. As I say, I do not want to be drawn on speculations regarding this matter. All I will say is that we are committed to no hard border.

Tony Lloyd (Rochdale) (Lab): I thank the Under-Secretary for welcoming me to the Dispatch Box earlier.

We strongly welcome the Secretary of State’s words today, which are consistent with those of the Chief Constable of the Police Service of Northern Ireland when he warned that any physical infrastructure would be a potential target and could eventually put lives at risk, but if her Government are going to reject a customs union—a realistic proposal put forward by the Labour party—what proposals can she set out to the House today that will make it clear that she can make this “no hard border” work?

Karen Bradley: May I now welcome the hon. Gentleman to his post? I look forward to working with him over the next few weeks, months and, possibly, years—we never know how long each of us will last.

We have discussed this matter ourselves, and the Government are committed not only to no hard border, but to respecting the result of the referendum, which means that we are leaving the single market and the customs union. We set out possible alternative arrangements in our customs paper last summer and we are working towards them.

Leaving the EU

6. Alex Cunningham (Stockton North) (Lab): What assessment has the Department made of the effect on Northern Ireland of the UK leaving the EU? [905148]

8. Karin Smyth (Bristol South) (Lab): What assessment has the Department made of the effect on Northern Ireland of the UK leaving the EU? [905150]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr Shaunavon Vara): The Government are committed to delivering a Brexit that upholds the commitments we have made to the people of Northern Ireland to uphold the Belfast agreement, and to avoid a hard border and any border down the Irish sea.

Alex Cunningham: The Department for Exiting the European Union’s own impact report predicts an 8% hit to economic growth in Northern Ireland—a part of the UK that has long been less economically developed than others—after we leave the EU. Why are the Secretary of State and the Minister prepared to let Northern Ireland suffer, when they could avoid that by following the Labour party’s lead and committing to a new customs union?

Mr Vara: The hon. Gentleman will be aware that the economic analyses of the past have not always been exactly accurate. As far as Northern Ireland is concerned, he might wish to reflect on the fact that as well as the huge economic benefits that I outlined in answer to earlier questions, over the past year exports are up by 9%.

Karin Smyth: Paragraphs 47 and 48 of the joint report identified the commitment to north-south and east-west co-operation. The Government have still not published the results of the mapping exercise on the 140 areas of cross-border co-operation. Will the Minister tell us when we can have the list demonstrating those 140 areas of co-operation?

Mr Vara: The hon. Lady should be in no doubt that we are committed to the commitments made in the joint report.

Tom Pursglove (Corby) (Con): Is the truth not that we have seen record foreign direct investment in the United Kingdom as a whole despite Brexit, and that when we leave, Northern Ireland will continue to be a top destination of choice for investment? After all, we do have the fifth largest economy in the world.

Mr Vara: My hon. Friend is absolutely right to make the good point that we have one of the leading economies in the world. Leaving the European Union will be an opportunity for the United Kingdom to pursue a new path and trade policies that benefit us, and us exclusively. I agree entirely that we have a positive future outside the European Union. [Interruption.]

Mr Deputy Speaker (Sir Lindsay Hoyle): Can we have a little quiet so that I can hear the questions and the answers?

Nigel Dodds (Belfast North) (DUP): I am glad to hear what the Minister and the Secretary of State have said about the integrity of the United Kingdom. Will the Minister take this opportunity to reaffirm that whatever happens and whatever the effect of Brexit on Northern Ireland, the United Kingdom will remain together economically, politically and constitutionally?

Mr Vara: I can absolutely give the right hon. Gentleman that assurance: the economic and constitutional integrity of the United Kingdom will remain intact. There should be no doubt about that.

Nigel Dodds: Every right-thinking person should welcome that commitment, not only on the political front but economically, given that the vast bulk of sales from Northern Ireland go to the Great Britain market. Those who advocate separating out Northern Ireland into the
customs union while the rest of the United Kingdom leaves it would inflict economic misery on all our constituents. Will the Minister take the opportunity to remind Leo Varadkar that when he talks about not leaving Northern Ireland behind, what he means is sucking Northern Ireland into the institutions of the EU, which would be economically disastrous for all our citizens?

Mr Vara: Let me assure the right hon. Gentleman that the Prime Minister has made it absolutely clear that neither she nor any other Prime Minister would ever compromise the economic and constitutional integrity of the United Kingdom. That means that Northern Ireland is very much a full part of the rest of the country, along with Scotland, Wales and England. There is no question whatsoever of having a border at the Irish sea—none whatsoever.

Mr Deputy Speaker: I call Stephen Pound. [Interruption]

Stephen Pound (Ealing North) (Lab): I think the House recognises that I am a beacon of stability in an ever-changing Opposition Northern Ireland team. Sadly, I am always the bridesmaid.

The European arrest warrant is vital to policing in Northern Ireland—we all accept that—and enables the Police Service of Northern Ireland to co-operate with colleagues in the south. Many have commented that no visible progress has been made on the replacement of the critical EU policing frameworks that enable vital cross-border co-operation. Will the Minister outline what discussions his Department has had with Home Office colleagues about this vital issue, and reassure not just the House but the people of Northern Ireland?

Mr Vara: It is good to see that the hon. Gentleman is still in his place and that there is some continuity in the shadow Northern Ireland team.

As far as the withdrawal agreement is concerned, a huge amount of progress has been made. The hon. Gentleman raises the very important issue of the European arrest warrant. The various Departments are all working together to ensure that we achieve the very best deal possible. Yes, the Northern Ireland Office is speaking with the Home Office to make sure that we get the very best deal in terms of protection and of the replacement framework that we will have when we leave the EU.

Mr Deputy Speaker: Order. Mr Speaker is attending the funeral of the late Michael Martin, who was Speaker of this House and a true family man who was committed to his community in Glasgow. I know that the House wants to pass on its prayers and condolences to his wife, Mary, and family.

There is important business to come in Prime Minister’s questions and we want to hear from as many colleagues as possible. May I remind all Members, Front and Back Benches, to ask succinct questions? I trust that the replies will be as pithy.

PRIME MINISTER

The Prime Minister was asked—Engagements

Q1. [905230] Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): If she will list her official engagements for Wednesday 9 May.

The Prime Minister (Mrs Theresa May): As I said last week, the condolences of the whole House are with the family and friends of Michael Martin.

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.

Drew Hendry: Many highland businesses rely on EU national employees simply to operate. Given that the Prime Minister’s Government already make a charge of up to £1,000 per year per person for non-EU nationals, will she categorically rule out any such immigration skills charge for EU nationals after the UK leaves the EU?

The Prime Minister: We recognise that, after the United Kingdom leaves the European Union, there will still be those in the EU who wish to come to work and study here in the UK, and that there will still be UK citizens who wish to work and study in the European Union. We will bring forward our proposals for those arrangements in due course.

Q7. [905236] Maria Caulfield (Lewes) (Con): Does the Prime Minister think that it was the Labour party voting against the abolition of stamp duty for 69,000 first-time buyers, or the Labour party voting against 50,000 extra school children getting free school meals that convinced local voters in the elections last week to vote Conservative as the only party on their side? That is why the Conservatives retained control of Westminster and Wandsworth councils, and it is why they gained control in places such as Redditch, Basildon and Barnet.

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. The Prime Minister is not responsible for the Labour party, but I am sure that she will be able to respond appropriately.

The Prime Minister: I can say to my hon. Friend that she is right about votes that took place in this House where the Opposition did vote against the abolition of stamp duty for those young first-time buyers, which is proving so helpful. Last Thursday, when millions of people across England went to the polls to vote for their local councils, we saw that the real winners were ordinary people. More people are now able to get the benefit of Conservative councillors who keep their council tax lower and provide good local services.

Jeremy Corbyn (Islington North) (Lab): First, may I put on record my thanks to Mr Speaker for attending the funeral of the late Michael Martin this morning in Glasgow on behalf of this House?

Does the Prime Minister agree with her Foreign Secretary that the plan for a customs partnership set out in her Lancaster House speech is, in fact, “crazy”?

The Prime Minister: I say to the right hon. Gentleman that we are leaving the European Union and we are leaving the customs union, but, of course, for our future trade relationship with the European Union, we will need to agree customs arrangements, which will ensure that we leave the customs union, that we can have an independent free trade policy, that we can maintain no hard border between Northern Ireland and Ireland, and that we can have as frictionless trade with the
European Union as possible. I will tell him what is crazy. What is crazy is the fact that the Leader of the Opposition, who for years opposed the Transatlantic Trade and Investment Partnership, now has a policy that would mean Labour signing up to TTIP with no say in it whatsoever.

Jeremy Corbyn: Could the Prime Minister explain why she and her Cabinet wasted weeks working up proposals that the EU said were unworkable and that the Foreign Secretary described as “crazy”? Does she agree with her Business Secretary who apparently backs the “crazy” customs partnership proposal, but who made it clear that he did not back a technological alternative when he told the BBC that jobs would be at risk if we do not sort out a comprehensive customs deal?

The Prime Minister: What the Business Secretary said on Sunday was that it was absolutely right that we should be leaving the customs union. If the right hon. Gentleman wants to talk about jobs, I am happy to do so: half a million jobs lost under the last Labour Government; record employment rate under this Conservative Government.

Jeremy Corbyn: The Government say that they have two options. The Foreign Secretary says that one is “crazy”, and Sir Ivan Rogers, our former EU ambassador, said that the technological alternative is a “fantasy island unicorn model”. They have two options, neither of which is workable. The case for a new customs union with the European Union is clear, to support jobs and living standards. Why is the Prime Minister ignoring all the major business organisations and all the major trade unions backing a customs union? Is it not time that she stood up to those described last night by the Father of the House as “wild, right-wing people”?

The Prime Minister: We are leaving the customs union. What we are doing is ensuring that we deliver customs arrangements but leave the customs union, ensure no hard border between Northern Ireland and Ireland, as frictionless trade with the EU as possible, and an independent trade policy. What would Labour give us? It wants to go into a customs union with the European Union, with no say over trade policy and with Brussels negotiating trade deals in its interests, not our own. The Labour manifesto said that it wanted to strike trade deals, but now it has gone back on that policy. Typical Labour—letting Britain down once again.

Jeremy Corbyn: The Prime Minister presides over a divided Cabinet. She has had 23 months to negotiate an agreement and has not made any progress on it. The CBI says that “a comprehensive customs union, after transition, is a practical, real-world answer”.

The TUC, on behalf of 6 million workers in this country, puts it simply: “Ruling out a customs union risks jobs”. The Government continue to reject a new customs union, but at the weekend the Business Secretary made it clear that neither of their options would be ready to be implemented by December 2020. Can the Prime Minister tell us her preferred option and the date on which it will be ready to be implemented?

The Prime Minister: The right hon. Gentleman talks about the length of time in the negotiations. Of course, it was not until March and the agreement to move on to the next stage of negotiations that it was possible to have discussions with the European Commission on the customs arrangements. There were two options in my Mansion House speech. Questions have been raised about both of them and further work continues.

The right hon. Gentleman has spent an entire career opposing a customs union. Now that the British people want to come out, he wants to stay in. I know that he is Leader of the Opposition, but that is going a bit far.

Jeremy Corbyn: Due to divisions within the Government, these negotiations are a shambles, and this House is being denied the opportunity to debate crucial legislation affecting the future of our economy and communities all over Britain. Can the Prime Minister now tell the House when we will debate the Trade Bill and when we will debate the customs Bill? She has had 23 months to get ready for it.

The Prime Minister: The right hon. Gentleman talks about the state of the negotiations. Before December, he was saying that the negotiations were not going to get anywhere, but what did we get? A joint report agreed by the European Council. He said before March that we would not get what we wanted in the negotiations, but what did we get? An implementation and an agreement with the European Union Council. We are now in negotiation for the best deal for the UK when we leave the EU, and we will get the best deal for the UK when we leave the European Union.

Jeremy Corbyn: I would have thought that after 23 months, we would have a better answer than that from the Prime Minister.

How can the Government negotiate in the future interests of people’s jobs and living standards when Cabinet members are more interested in putting their own futures first? Fundamentally, how can this Government negotiate a good deal for Britain to defend people’s jobs and living standards when they are unable to reach an agreement between themselves?

The Prime Minister: I will tell the right hon. Gentleman what this Government have been doing to defend jobs. We have had a balanced approach to the economy, opposed by the Labour party. We have introduced changes in legislation for more workers’ rights, often opposed by the Labour party. We have been ensuring that we see jobs being created in this country—employment is at its highest rate since records began, and unemployment is at its lowest rate for 40 years or more. This is a Government that are putting jobs first at every stage of what we are doing. Last week, what we saw up and down this country, whether in Barnet, Dudley or Peterborough, was the British people voting to reject the back-to-the-future economic policy of the Labour party and the broken promises of Labour. They do not trust Labour, and they do not trust its leader.
Does my right hon. Friend agree that now is the moment for the Financial Conduct Authority to extend that necessary to protect consumers.

The Prime Minister: I know that my hon. Friend has been campaigning hard to promote financial inclusion, which is very important. We are committed to ensuring that consumers are protected from unfair lending practices. I understand that the FCA is currently conducting a review of the high-cost credit market, including doorstep lending, and will publish an update later this month. Of course, we have also given the FCA new powers to cap the cost of credit, and it will do so if it believes that is very important. We are committed to ensuring that consumers are protected from unfair lending practices.

Q11. [905240] Julian Sturdy (York Outer) (Con): Over the bank holiday weekend, spectators turned out in record-breaking numbers to watch the Tour de Yorkshire, enjoying the county’s finest hospitality, with images of the UK’s most beautiful countryside beamed to millions around the world. Does the Prime Minister agree that major sporting events such as the Tour de Yorkshire provide significant economic benefits and investment in our regions, and will she join me in God’s own county for next year’s event?

The Prime Minister: It was indeed very good to see millions of people on the roads of Yorkshire, cheering on the Tour de Yorkshire as it took place this bank holiday weekend. As my hon. Friend says, not only are these events hugely enjoyable for sports fans, but they bring huge economic benefit to the area and they show off the best of Britain to the world. That is why I am delighted that in September next year we will see the cycling road world championships taking place in Yorkshire, bringing the world’s best cyclists to Yorkshire—we are providing financial support for these championships—and I am always happy to visit Yorkshire.

Q2. [905231] Deidre Brock (Edinburgh North and Leith) (SNP): A constituent of mine was born in Kirkcaldy to parents who have the right to stay in the UK indefinitely and his entire life has been in Scotland—his schooling, university and now his professional work as a structural engineer—but he cannot get a British passport, and he tells me he fears the knock on the door that so many Windrush people heard. Will the Prime Minister assure my constituent and the many people like him, whose cases are analogous to those of the Windrush people, that they will get the same consideration and be assisted in obtaining citizenship, with the fees waived?

The Prime Minister: The former Home Secretary was absolutely clear about the offer that has been made to those people who were covered by the legislation—the Immigration Act 1971—who came to the United Kingdom before 1973. I am sure that the Home Secretary will ensure that the case the hon. Lady has raised is looked into carefully. Often, cases are raised in this House and there is sometimes a complexity to the cases that needs to be looked into very carefully, but I am sure the Home Secretary will ensure that that case is properly considered.

Leo Docherty (Aldershot) (Con): My constituency of Aldershot is the home of the British Army and it has a very fine tradition of military service. I am delighted that the commander of the Aldershot garrison, Colonel Mac MacGregor, and his wife Deborah have joined us in the Gallery today. Next month, Colonel Mac will leave the Army after nearly 40 years’ service, so will the Prime Minister join me in thanking Colonel Mac for his service and the tremendous good works he does in the wider community of Rushmoor borough?

The Prime Minister: I am very happy not only to welcome the colonel and his wife to the Gallery to watch our proceedings today, but to thank him for the significant service he has shown our country in his time in our armed forces and for all the work he has done as commander of the garrison at Aldershot. We wish him all the very best in his retirement from the Army.
Q3. [905232] Hannah Bardell (Livingston) (SNP): The Life Sciences Scotland firm Tepnel Pharma Services employs 50 people in my Livingston constituency, who test the safety standards of everyday drugs to ensure that our citizens are kept safe. In its Trade Bill evidence, it expresses grave concerns about the lack of information and the plans for Brexit. I met it last week, and it is fair to say that its concerns have gone from amber to red. The life sciences in Scotland and across the UK rely on a harmonised regulatory environment. Patient safety is on the line and businesses need answers from the Prime Minister. When will they get them?

The Prime Minister: As I made clear in my Mansion House speech, the European Medicines Agency is one of those that we wish to discuss with the European Union the possibility of having associate membership of. I and the Business Secretary, as well as others, spend time with the life sciences industry and with other industries to understand their concerns. We will be looking to ensure that we can provide the same level of interaction in the future to enable our life sciences industry not just to continue at the current level, but actually to be enhanced and to grow.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Will the Prime Minister join me in congratulating the Bomber County Gateway Trust on the approval of its plans for a full-sized sculpture of a Lancaster bomber? In this centenary year of the RAF, does she agree that it will be a fitting tribute to the service personnel—past, present and future?

The Prime Minister: I am very happy to join my hon. Friend in congratulating those who are looking for an appropriate commemoration of the Lancaster bomber squadron and to recognise all that was done by those who were involved with the Lancasters. As she says, this year is the 100th anniversary of the creation of the Royal Air Force and all of us across the House should show our gratitude and support for all those in the RAF who have contributed so bravely to the safety of our country over the years.

Q4. [905233] Matt Western (Warwick and Leamington) (Lab): “Cretinous”, “crazy” and certain other words beginning with “cr” are used by some Government Members to describe the Prime Minister’s proposals for a customs partnership. However, “credible” is not one of them. Will the Prime Minister please explain how she sees it, given that so many businesses, particularly those in the automotive industry, and the likes of the CBI and the chambers of commerce are so against the proposals and would prefer to see the continuation of a customs union affording truly frictionless free trade?

The Prime Minister: As I said earlier, there are two options for delivering on the objectives that we have set. We will leave the customs union, we want to ensure that there is no hard border between Northern Ireland and Ireland, we want to ensure that there is as frictionless trade as possible between the UK and the EU, and we want to ensure that we can have an independent trade policy. I say to the hon. Gentleman that what is not credible is a Labour party policy that wants us to be in a customs union, giving all the power for negotiating our trade deals to Brussels, with no say whatsoever for the UK.

David Evennett (Bexleyheath and Crayford) (Con): Will my right hon. Friend welcome the re-election of Bexley’s Conservative council, congratulate it on its good record locally, and look forward to its continuing to implement efficient and effective Conservative policies?

The Prime Minister: I am very, very pleased to welcome the re-election of Bexley’s Conservative council. I was pleased to speak to the leader of Bexley council shortly before the elections last week, and I am very pleased that the residents of Bexley will enjoy yet more years with a good Conservative council, delivering great local services at lower cost.

Q5. [905244] Matthew Pennycook (Greenwich and Woolwich) (Lab): Despite the ever present threat of death from Syrian and Russian airstrikes, and in the face of smears and disinformation, the rescue workers of the White Helmets have never stopped saving the lives of their fellow Syrians. Last week, the Trump Administration froze their US funding. With thousands of civilian lives at risk, will the Prime Minister step up, pledge that the Government will plug the funding shortfall that now exists and ensure that these heroic rescue workers can continue their work?

The Prime Minister: We recognise the important and valuable work that the White Helmets do. As the hon. Gentleman says, they do it in horrendously difficult conditions and are incredibly brave to continue that work. We do support them and we will continue to support them. My right hon. Friend the Secretary of State for International Development will look at the level of that support for the future.

Rachel Maclean (Redditch) (Con): Will the Prime Minister join me in congratulating the four fantastic new Conservative councillors—[Interruption.] Their election takes the control of Redditch Borough Council from the Labour party to the Conservative party—[HON. MEMBERS: “Hear, hear!”] If her diary permits, I ask her to visit Redditch at the earliest possible opportunity to back our fantastic local campaign to unlock—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I call the Prime Minister. Let’s get on with it.

The Prime Minister: I am very happy to join my hon. Friend in congratulating the newly elected Conservative councillors. I gave a list of councils earlier where people had rejected Labour, like Barnet, Dudley and Peterborough. I can add Redditch to that list, and indeed other councils around the country. Many congratulations to her, to those councillors and to all the volunteers and activists who work so hard.

Q6. [905235] Jeff Smith (Manchester, Withington) (Lab): In the past year, the Trussell Trust has given out over 3,000 food parcels to my constituents in south Manchester, half of them to families with children. The trust says that the Government’s flawed roll-out of universal credit has fuelled the 13% rise in food bank use over the past year. How does the Prime Minister explain the rise?
The Prime Minister: Obviously, the hon. Gentleman knows that we do not want to see anybody having to use food banks. As we have rolled out universal credit, we have listened to the concerns raised and we have changed the arrangements as a result.

Robert Courts (Witney) (Con): Congestion on the A40 in west Oxfordshire is a blight for residents. With developments, including the Cotswold garden village, set to increase demand, will the Prime Minister work with me so that upgrades to the A40, to buses and to the Cotswold railway line ensure that we have an integrated transport structure to keep west Oxfordshire moving?

The Prime Minister: My hon. Friend raises an important issue on behalf of his constituents. I recognise that he is absolutely right to do so and how important it is to them. At the Budget, we announced £1.7 billion for the transforming cities fund to deliver transport infrastructure for the future. We have also ensured that local authorities are able to bid in to over £1 billion of discounted lending to support high-value infrastructure projects, giving power back to local people and recognising the importance of such infrastructure. He raises specific issues and I know my right hon. Friend the Transport Secretary will be happy to discuss them with him.

Q8. [905237] Bill Esterson (Sefton Central) (Lab): When the Prime Minister told the nation she was on the side of hardworking families struggling to make ends meet, did she have in mind a Britain divided across the generations, as described in this week’s report by the Resolution Foundation?

The Prime Minister: The question of intergenerational fairness is one that we recognise and one I think the whole of society needs to recognise. We need to ensure, through Help to Buy and abolishing stamp duty for many first-time buyers, that we help young people to get their foot on the housing ladder and buy more homes. It is important that we make sure we have jobs for people, and that young people are skilled, trained and educated to take on the jobs of the future. That is what our modern industrial strategy is doing and that is the best thing we can do: ensure, as we are doing, that we have the policies, through our balanced approach to the economy, that provide the jobs and homes for those young people for the future.

Luke Graham (Ochil and South Perthshire) (Con): Yesterday, the Scottish Affairs Committee heard from Royal Bank of Scotland executives. Given this publicly funded bank’s blatant disregard for the local communities it serves, will my right hon. Friend strengthen the access to banking standards to give local people more of a say when banks remove vital local services?

The Prime Minister: It is important that we put those access to banking standards in place and that there are alternative arrangements in place, which we have encouraged people to take up, to ensure that they are able to access the banking facilities they need.

Q9. [905238] Holly Lynch (Halifax) (Lab): The Yorkshire Post is this weekend taking the unprecedented step of calling on the Secretary of State for Transport to resign, accusing him of repeatedly betraying our region over rail. Electrification is nowhere to be seen, trains are routinely overcrowded and delayed, and wheelchair users are left stranded when access lifts are broken or locked—all set against record ticket prices. Can the Prime Minister explain to passengers in Yorkshire when they will see a rail service that is truly capable of delivering the northern powerhouse?

The Prime Minister: We are putting record investment into rail across the country and that includes investment in rail in the north. We are supporting Transport for the North, which is coming forward with proposals for the north. This Government recognise not just the importance of infrastructure but the importance of infrastructure across the whole of the country.

Andrea Jenkyns (Morley and Outwood) (Con): Yesterday, with my hon. Friend the Member for Romford (Andrew Rosindell), we launched the One Britain One Nation all-party group, which will be working with schools to promote pride in our country, and respect, tolerance and inclusion regardless of one’s background. Will the Prime Minister join me in paying tribute to the founder of One Britain One Nation, Kash Singh, for the hard work he is doing to promote unity in our communities and schools?

The Prime Minister: It is absolutely right that we pay tribute to those like Kash Singh who are working to promote inclusion and unity in our communities, and it is important that we see that the values of respect and inclusion, regardless of one’s background, are ones that everybody recognises and practises. We have changed the law so that schools have to actively promote our fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs. I am absolutely clear that nobody’s path through life should be affected by their background or where they came from. How far they go should be based on how hard they work and their talents, and not their background.

Q12. [905241] Chi Onwurah (Newcastle upon Tyne Central) (Lab): A successful start-up forced into bankruptcy by Government delays in paying out European regional development funds, and a tech company’s expansion plans stalled because the Government will not guarantee it access to the native European language speakers that it needs—these are businesses that I have spoken to in Newcastle in the last few weeks. In the absence of any guidance from Government on businesses preparing for Brexit, will the Prime Minister agree that Tory infighting is costing us jobs in Newcastle?

The Prime Minister: No. The hon. Lady has raised a number of points. We have been clear about the support that we are giving in terms of the funds that have previously come from the European Union. We have also been clear about the issue of citizens’ rights for people who are currently here in the United Kingdom from the European Union, and for those who will come here during the implementation period up to the end of December 2020. If she wants to be worried about policies that will affect jobs in Newcastle and the north-east, I will tell her the policies that would affect jobs in Newcastle and the north-east: the policies of her Front Benchers and her party.
Dr Julian Lewis (New Forest East) (Con): Does my right hon. Friend recall that the previous Secretary of State for Northern Ireland suggested that the possibility of dealing with legacy cases through a statute of limitations coupled with a truth recovery process would be included as an option in the forthcoming consultation exercise? Does she accept that that is a legitimate option for consideration, and will she therefore ensure that it is not excluded from that consultation exercise?

The Prime Minister: My right hon. Friend raises a very important issue. At its heart is the support and gratitude that we owe to all those who have served in our armed forces. Our armed forces personnel are willing to put their lives on the line for our safety day in and day out, as are our personnel who work in law enforcement. The peace we see today in Northern Ireland is very much due to the work of our armed forces and law enforcement in Northern Ireland, but we have an unfair situation at the moment, in that the only people being investigated for these issues that happened in the past are those in our armed forces or those who served in law enforcement in Northern Ireland. That is patently unfair—terrorists are not being investigated. Terrorists should be investigated and that is what the Government want to see.

Q13. [905242] Chris Ruane (Vale of Clwyd) (Lab): Waiting times for personal independence payment tribunals in Wales have quadrupled over the past four years. My constituent, Alan McKittrick, is suffering from prostate cancer, angina, diabetes, chronic obstructive pulmonary disease, arthritis, hernias, mental ill health, dizziness, blackouts and ulcers, yet his initial PIP claim was refused. He then waited 56 weeks for an appeal, which he won. Will the Prime Minister apologise to Alan, and when will she end this hostile environment towards sick and disabled people?

The Prime Minister: Obviously, Members across this House raise issues about the PIP process, and the Department for Work and Pensions is consistently looking at the whole PIP process. One of the issues that the hon. Gentleman raised in his question was the health of the individual concerned. As he sits for a Welsh constituency, I would have thought that, if he wants to talk about health, he should talk to the Labour Government in Wales.

Maggie Throup (Erewash) (Con): I recently visited a construction site for 85 affordable homes in Cotmanhay in my constituency, which is benefiting from a £3 million Homes England grant. Will my right hon. Friend assure me and the House that she will continue to work with the new Housing Secretary to ensure that more people, such as those in Cotmanhay, fulfil their dreams of home ownership?

The Prime Minister: I am very happy to give my hon. Friend that commitment. This is an important issue. As I mentioned in response to an earlier question about intergenerational issues, there are young people today who worry they will never be able to get a home. The Government are committed to building more homes and helping young people to get their feet on the housing ladder. That is why we have abolished stamp duty for many first-time buyers and put more money into Help to Buy. Helping young people to get their feet on the housing ladder is a commitment of this Government and something we will continue to do in her constituency and elsewhere.

Q14. [905243] Mr Alistair Carmichael (Orkney and Shetland) (LD): The Government have made a decent start on tackling the problem of our overuse of plastics but, if we are to get recycling rates up to where they need to be, we have to look at the production processes, as was pointed out to me by pupils at Anderson High School in Lerwick on Monday. Will the Government work with plastics manufacturers to see what they can do to reduce the 50 different types of plastic currently in use and so make them easier to sort and recycle?

The Prime Minister: The right hon. Gentleman makes an important point. We are making progress on plastic, but we need to work with the manufacturers on its production, which is why we are doing exactly that. The Business and Environment Secretaries and others are talking to manufacturers about how to ensure that plastic is recyclable and does not end up in our oceans, with all the problems that causes.

Alex Chalk (Cheltenham) (Con): Afghan interpreters who served alongside British troops did so with skill and courage. Will my right hon. Friend confirm that those who have made their homes in our country can remain and that the ordinary fees will be waived as a small sign of our gratitude?

The Prime Minister: My hon. Friend raises an important point about Afghan interpreters, who served bravely alongside our armed forces, as he says. The Home Secretary has been looking at this issue, particularly in relation to the fees for those individuals. Some have wished and been able to return to Afghanistan and have been given opportunities by the Government to retrain and re-establish their lives there, but it is important that we recognise the debt that we owe them.

Q15. [905244] Melanie Onn (Great Grimsby) (Lab): Crime in north-east Lincolnshire is up more than 20%. Recently, we have had a single-punch death, a serious blade attack and an incident involving 200 hooligans that forced Grimsby families to flee our local seaside resort of Cleethorpes. Humberside police have 310 fewer frontline officers and 550 fewer support officers than in 2010. Will the Prime Minister accept that her cuts mean that residents of Grimsby and Cleethorpes no longer have the fully funded and properly staffed police force they deserve?

The Prime Minister: Since 2015, we have been protecting police funding. This year, we have made available £460 million extra to policing across the country, which is more than the Labour party was committed to in its election manifesto last year. As I have always said—and indeed as the shadow policing Minister has said—there is no direct link between the number of police officers, crime and funding.
Iran Nuclear Deal

12.38 pm

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): With permission, Mr Speaker, I shall make a statement on the future of the Iran nuclear agreement, officially known as the joint comprehensive plan of action.

The Government regret the decision of the United States Administration to withdraw from the deal and reimpose American sanctions on Iran. We did our utmost to prevent this outcome: from the moment that President Trump's Administration took office, we made the case for keeping the JCPOA at every level. Last Sunday, I travelled to Washington and repeated this country's support for the nuclear agreement in meetings with Secretary of State Pompeo, Vice-President Pence, national security adviser Bolton and others, and my right hon. Friend the Prime Minister spoke to President Trump last Saturday.

The US decision makes no difference to the British assessment that the constraints imposed on Iran's nuclear ambitions by the JCPOA remain vital for our national security and the stability of the middle east. Under the agreement, Iran has relinquished 95% of its low-enriched uranium, placed two thirds of its centrifuges in storage, removed the core of its heavy water reactor—that is, closing off the plutonium route to a bomb—and allowed the International Atomic Energy Agency to mount the most intrusive and rigorous inspection regime ever devised, an obligation on Iran that lasts until 2040. The House should not underestimate the impact of those measures. The interval needed for Iran to make enough weapons-grade uranium for one nuclear bomb is known as the breakout time. Under the deal, Iran's breakout time has trebled, or even quadrupled, from a few months to at least a year, and the plutonium pathway to a weapon has been blocked completely.

For as long as Iran abides by the agreement—and the IAEA has publicly reported its compliance nine times so far—Britain will remain a party to the JCPOA. I remind the House that the JCPOA is an international agreement, painstakingly negotiated over 13 years under both Republican and Democratic Administrations, and enshrined in United Nations resolution 2231. Britain has no intention of walking away; instead, we will co-operate with the other parties to ensure that while Iran continues to restrict its nuclear programme, its people will benefit from sanctions relief in accordance with the central bargain of the deal. I cannot yet go into detail about the steps that we propose to take, but I hope to make that information available as soon as possible, and I spoke yesterday to my French and German counterparts.

In his statement on 12 January, President Trump highlighted important limitations of the JCPOA, including the fact that some constraints on Iran's nuclear capacity will expire in 2025. Britain worked alongside France and Germany to find a way forward that would have addressed the President's concerns and allowed the US to stay in the JCPOA, but without reopening the terms of the agreement. I still believe that that would have been the better course. Now that our efforts on this side of the Atlantic have not succeeded, it falls to the US Administration to spell out their view of the way ahead. In the meantime, I urge the US to avoid taking any action that would hinder other parties from continuing to make the agreement work in the interests of our collective national security. I urge Iran to respond to the US decision with restraint and to continue to observe its commitments under the JCPOA.

We have always been at one with the United States in our profound concern about Iran's missile tests and Iran's disruptive role in the middle east, particularly in Yemen and Syria. The UK has acted to counter Iran's destabilising behaviour in the region, and we will continue to do so. We remain adamant that a nuclear-armed Iran would never be acceptable to the United Kingdom. Indeed, Iran's obligation not to "seek, develop or acquire" nuclear weapons appears—without any time limit—on the first page of the preamble to the JCPOA.

Yesterday, President Trump promised to work "with our allies to find a real, comprehensive, and lasting solution to the Iranian nuclear threat."

I have no difficulty whatever with that goal; the question is, how does the US propose to achieve it? Now that the Trump Administration have left the JCPOA, the responsibility falls on them to describe how they, in Washington, will build a new negotiated solution to our shared concerns—a settlement that must necessarily include Iran, China and Russia, as well as countries in the region. Britain stands ready to support that task, but in the meantime, we will strive to preserve the gains made by the JCPOA. I commend the statement to the House.

12.44 pm

Emily Thornberry (Islington South and Finsbury) (Lab): I thank the Foreign Secretary for advance sight of his statement.

I am sure that there will come a time to debate whether the Government's approach to Donald Trump since his election in 2016 has been the right one, but today is not the time, because instead I believe that the whole House, and indeed the whole world, should stand united in condemning Donald Trump for the reckless, senseless and immoral act of diplomatic sabotage that he has committed. Every independent inspection has confirmed—even the US Defence Secretary James Mattis admitted this last month—that the nuclear deal is working and Iran is complying with it in full.

Yes, there are other important matters that must be addressed with Iran—its regional activities, its ballistic missile programme, and its record on human rights—but the platform for that dialogue, and the foundation on which future arrangements could be reached, was the nuclear deal. Instead, by seeking to scupper the nuclear deal, Donald Trump has destroyed the platform for future progress and risked triggering a nuclear arms race in the middle east, handing power to the hard-line theocrats in Tehran and pushing Iran back into isolation. Donald Trump is taking all those risks without a single care, without the slightest justification and without the simplest rational thought about what will come next; and in doing so he is sending a message to North Korea that any agreement it reaches with the US will be worthless.

While we could talk all day about the recklessness and idiocy of what Donald Trump has done, the key question is this: how should the world react? And here I
believe there are three challenges. First, there is the challenge for the other signatories of how to best preserve the deal. For Britain, France, Germany, China and Russia that means providing urgent legal and financial protection for companies and banks in our countries engaged in trade and financial transactions with Iran so they can continue doing so. As for Iran, it must have the patience and resolve not to respond in kind to this act of belligerence, but to continue working with the other signatories to try to keep the deal alive.

The second challenge is equally serious: how to stop a descent into conflict. Iran is a country nine times the size of Syria with a population as big as Germany’s. The idea of Iran racing to develop a nuclear weapon and the US Administration seeking to stop it through military means does not bear thinking about. Yet we know that that is exactly what the Trump Administration are thinking about. In February, The New York Times published an important comment piece accusing the Trump Administration of employing exactly the same playbook used before the Iraq war to manufacture a pretext for war with Iran. The article was written by Lawrence Wilkerson, former chief of staff to US Secretary of State Colin Powell, and he warned simply:

“I helped sell the false choice of war once. It’s happening again.”

And that was before the appointment of John Bolton. So while we rightly focus our efforts now on trying to salvage the nuclear deal, we must also be alert to stop any further steps the US may take to escalate its confrontation with Iran.

The third and final challenge I want to mention today is equally profound: if we did not know it beforehand, what yesterday’s announcement confirmed is that as long as Donald Trump remains President we must get used to a world without American leadership—a world where efforts to secure peace and progress on the great challenges facing the planet must be made not just without American co-operation but often in the face of the Administration’s active opposition. That is the challenge we now face in relation to Iran, as it has been on climate change, the refugee crisis and the Israel-Palestine peace process. But starting with the consensus in this House today, I hope we can all play our part in ensuring Britain rises to that challenge.

Boris Johnson: My hon. Friend is entirely right to point out that, as Members on both sides of the House will agree, Iran is a malign actor in the region. There is no question but that Iran has been a seriously disruptive force in Yemen, Lebanon, Syria and Iraq. He is also right to point out the cardinal importance of the Iranian people in the discussions. Ultimately, the effort behind the JCPOA was to give them the prospect of the economic benefits of participating in the global economy in exchange for denuclearisation. That is still the fundamental bargain.

Tom Tugendhat: My hon. Friend is entirely right to point out that, as Members on both sides of the House will agree, Iran is a malign actor in the region. There is no question but that Iran has been a seriously disruptive force in Yemen, Lebanon, Syria and Iraq. He is also right to point out the cardinal importance of the Iranian people in the discussions. Ultimately, the effort behind the JCPOA was to give them the prospect of the economic benefits of participating in the global economy in exchange for denuclearisation. That is still the fundamental bargain to be struck.

Stephen Gethins: I thank the Foreign Secretary for early sight of his statement. Mr Deputy Speaker, may I wish you and all Members a very happy Europe Day?

The JCPOA has illustrated the importance of our relationship with our European partners, who are after all our closest allies. This work illustrates the painstaking effort that goes into seeking a diplomatic way forward. The Foreign Secretary was right to mention the reduction in low-enriched uranium and some of the other achievements of the Iran deal, and the shadow Foreign Secretary was right to talk about the false choice of war. The process has been long and painstaking, and I pay due credit to officials and to Ministers from both sides of the House for their work over the years. This is a much more effective way to deal with concerns about weapons of mass destruction than that deployed by Iran’s neighbours, for example.

Does the Foreign Secretary agree that this move by President Trump is deeply reckless and irresponsible and has undermined the importance of the diplomatic
process? Given what appears to be the UK’s lack of influence and the Foreign Secretary’s appeal on the President’s favourite TV show, does that not illustrate even more clearly that we have such an inauspicious relationship with the EU in tackling the issue? Will he tell me when he next plans to meet Federica Mogherini, who has shown such leadership on this?

Boris Johnson: As the hon. Gentleman knows well, we work not only hand in glove with the United States, but with our allies, friends and partners in continental Europe. Indeed, that work has intensified over the past few months because, as the Prime Minister has said many times, we may be leaving the EU, but we are not leaving Europe. As for Federica Mogherini, I expect that I shall probably see her next week.

Stephen Crabb: Preseli Pembrokeshire) (Con): While many across the House will want to continue to give the benefit of the doubt to the Foreign Secretary on the Iran deal, does he nevertheless acknowledge that there remain serious questions about what our wider policy of engagement with the Iranian regime is achieving? Has he seen anything over the past two years to indicate that Iran is taking steps towards becoming a more responsible member of the international community, instead of remaining the force for chaos and terror that it continues to be?

Boris Johnson: As my right hon. Friend knows, the UK is in the lead in trying to disrupt malignant Iranian behaviour in the region. Whether trying to stop Iranian missiles going to Yemen or to Hezbollah in Lebanon, the UK is doing that. Indeed, this country maintains sanctions on the entire Islamic Revolutionary Guard Corps. We are determined to bear down on Iranian malign activity, but we can do that while retaining the core achievement of the JCPOA.

Hilary Benn: Leeds Central) (Lab): Does the Foreign Secretary agree that one of the most serious consequences of President Trump’s decision, which the special relationship was unable to prevent, is that it will result in hard-liners in Iran and elsewhere saying, “There is no point in doing deals on security with the United States of America, because it does not keep its word.”?

Boris Johnson: If the right hon. Gentleman is correct, that is all the more reason for the UK to work to preserve the essentials of the deal. I just remind the House, which may be getting into a mood of undue pessimism, that President Trump said last night that he and they see us as having such an important relationship with the United States of America, that we will do our utmost to protect UK commercial interests.

Mike Gapes: Ilford South) (Lab/Co-op): The Prime Minister and the Foreign Secretary have both praised the joint efforts that have been made with our French and German partners. In the light of the impetuous, destructive, unilateralist behaviour of the US President, is this not the worst possible time for us to be leaving the European Union?

Boris Johnson: No. On the contrary, what this shows to the meanest intelligence is that we do not have to be a member of the European Union in order to co-operate in the most productive way with our European friends and partners.

Sir Michael Fallon (Sevenoaks) (Con): But is not the President right in his analysis of this rather flimsy agreement, which should never have been called comprehensive, in that it does not include missiles and that, far from constraining Iranian behaviour, it has enabled the regime to use its new financial freedom to
interfere in Syria, in Iraq, and above all in Yemen, and to sponsor further Houthi attacks on our friends in Saudi Arabia?

Boris Johnson: I am grateful to my right hon. Friend, but I do not recall him making those points when he was serving so well as Secretary of State for Defence when the deal was done, and I disagree with him. Of course the JCPOA has its limitations, as I have readily conceded, but its advantage is that it has at its heart the idea of preventing the Iranians from acquiring a nuclear weapon in exchange for limited economic benefits. I still think that that idea has validity, and the Iranians are still in compliance with that agreement, limited though it is.

Derek Twigg (Halton) (Lab): I am disappointed with today’s statement, because it was not a big surprise when this happened, yet the Foreign Secretary has said that he will come back with some details later on. I do not know why that should be the case, because this was even signposted during the American election. The statement is also light on what we are going to do about the Iranians’ behaviour in the middle east. The Foreign Secretary needs to tell us now when he intends to come back to the House.

Boris Johnson: As I have said at least twice, I will be informing the House in due course about what further economic steps we will be taking, and I have been very clear about the many things we are doing in the wider middle east to constrain the activities of Iran.

Sir Nicholas Soames (Mid Sussex) (Con): There is no doubt that Iranian interference in Syria, Yemen, Lebanon, Bahrain and elsewhere is a legitimate cause for concern, but does my right hon. Friend agree that this is a very poor decision by the President, which flies in the face of the advice of his own people and of America’s most loyal allies? In trying to sustain this agreement, will he work to ensure that the inspection regime—which is, at the end of the day, the crown jewels of the agreement—will still apply?

Boris Johnson: Yes, of course we will work to ensure that the inspection regime continues. I think there have been about 400 inspections since the JCPOA began, and they have all found that Iran was in compliance. As I have said, it is now up to the United States to come forward with a plan, and if it has military options, frankly I have yet to see them.

Mrs Madeleine Moon (Bridgend) (Lab): What discussions will the Foreign Secretary and the other members of the E3 be having with NATO allies? Clearly, they also will be feeling greatly disturbed by this unilateral action by the United States, which will impact on their relationships with Iran.

Boris Johnson: I am sure that the issue will figure largely at the next meeting of the North Atlantic Council.

Dame Cheryl Gillan (Chesham and Amersham) (Con): In the same way as a nuclear-armed Iran is unacceptable to the UK, so is Iran’s record on human rights. The Foreign Secretary said in his statement that the UK will continue to “counter Iran’s destabilising behaviour in the region”. What can he do to bring to an end the continuous persecution of the people of the Baha’i state, which has now spread to Yemen, where a prominent Houthi leader has placed a message on social media, threatening to butcher every Baha’i in the country? Surely we should be able to help bring that terrible persecution to an end.

Boris Johnson: I can assure my right hon. Friend that we repeatedly raise the issues of human rights, the treatment of the Baha’i and other frankly disgusting aspects, not least the death penalty—there are many disgusting aspects of the behaviour of the Iranian regime—whenever we meet our Iranian counterparts.

Sammy Wilson (East Antrim) (DUP): The Israeli Government do not believe that Iran is abiding by the terms of the agreement. Iranian opposition groups are saying that the Iranian regime is using revenue from the lifting of sanctions to finance terrorism across the middle east, and of course Iran has played an important part in the conflict in Syria and Yemen. In the light of that behaviour, does the Foreign Secretary accept that the decision by the American President has some validity, and that it will send an important message to a regime that is out of control?

Boris Johnson: On the contrary—I thought that the most powerful point about Benjamin Netanyahu’s slideshow was that it showed that Iran did indeed have a nuclear weapons ambition up to 2003, and it showed, therefore, the importance of beginning a process of negotiation to get Iran to stop that ambition, and that is what the JCPOA did. I remind the hon. Gentleman. Gentleman and others in the House that many sanctions on Iran are currently in place, and they will abide.

Mr Andrew Mitchell (Sutton Coldfield) (Con): My right hon. Friend was surely absolutely right to go to America to seek to stop the President dismissing this agreement, in the same way as he is absolutely right to meet Nelson Chamisa, the Leader of the Opposition in Zimbabwe, today on his visit to London. In respect of Iran, surely British foreign policy should be to try and bring Iran into the comity of nations and build on the existing agreement, rather than can it.

Boris Johnson: My right hon. Friend is entirely right. That is not just the UK’s ambition but the ambition of our European friends and partners, and it remains the ambition—and, by the way, I believe that eventually we will pull it off.

Kevin Brennan (Cardiff West) (Lab): Will this unilateral decision in effect mean that the United States—a country that we are setting great store by in terms of trade—will be introducing sanctions, or the threat of sanctions, against UK companies that continue to trade with Iran?

Boris Johnson: The hon. Gentleman will be familiar with the extraterritorial impact of US sanctions. There may be a staggered period of either 90 or 180 days before that extraterritorial impact is felt. We will have to see exactly how it plays out, but we will do our utmost to protect UK commercial interests.
John Redwood (Wokingham) (Con): Will the UK tell the US that we would of course be very happy to work with them to try and limit the abuses of the Iranian regime and to control the missile programme better? May I also say how much I support my right hon. Friend on the UK’s need for an independent trade policy with functioning borders?

Boris Johnson: I am grateful to my right hon. Friend for shoehorning in that very important point at this juncture.

Caroline Lucas (Brighton, Pavilion) (Green): We all agree that Trump’s reckless decision has made the world a more dangerous place, but does the Foreign Secretary also agree that that makes the rule of international law even more important? Does he recognise the rank hypocrisy of Britain’s lecturing other countries that are seeking to acquire nuclear weapons, while we keep our own—and indeed enhance them—in direct contravention of the nuclear non-proliferation treaty? Is it not time that we joined those 122 countries that have been negotiating a nuclear-ban treaty at the UN and sought some world leadership on the world stage?

Boris Johnson: I think most people in the House understand that the UK’s independent nuclear deterrent keeps the peace that other countries would want to threaten.

Robert Halfon (Harlow) (Con): I cannot say that President Trump is my cup of tea, but Iran’s actions in the middle east go down like a cup of cold sick. They support terrorism, Hamas and Hezbollah, they suppress their own people at home with the death penalty, as the Foreign Secretary mentioned, and they are supporters of President Assad. I think that rather than appeasing Iran, we should be supporting our oldest ally, the United States, and recognising that it has taken this decision because the Iranians are backing down on the agreement and are continuing with ballistic missiles.

Boris Johnson: There was not a word that I could disagree with in the first half of my right hon. Friend’s question, and of course it is true that Iran is up to all sorts of bad behaviour in the region; but the Iranians are not in violation of the JCPOA—on their ambition to acquire nuclear weapons, they are obeying the letter of that agreement. Yes, it is perfectly true that they are not in conformity with UN resolution 2231 in respect of ballistic missiles, but there we are holding them to account and there is the prospect of extra sanctions to bring them into line.

Liz Kendall (Leicester West) (Lab): Further to that question, does the Foreign Secretary agree that Iran’s appalling destabilising behaviour in the wider region, including its support of terrorism, would be even more dangerous if its nuclear programme goes unchecked, and that it is therefore not just in Britain’s national interests, but in the interests of America and the world that the JCPOA remains in place?

Boris Johnson: That was very well put.

Dr Julian Lewis (New Forest East) (Con): While the signing of treaties of this sort can lead to political advance, does my right hon. Friend agree that the history of the biological weapons convention of 1972, which was exposed in 1992 as having been broken from day one for 20 years by the then Soviet Union, shows that in reality our security depends on the twin pillars of the independent strategic nuclear deterrent and our alliance, through NATO, with the United States of America?

Boris Johnson: My right hon. Friend is absolutely right. I would also say that the JCPOA has depended not on trust—not on believing the Iranians—but on independent verification, which has been carried out countless times.

Joan Ryan (Enfield North) (Lab): Many of us who do not support the President’s decision would argue that the JCPOA contains some very serious flaws, including the lack of a clear plan—what happens when the agreement ends in 2025?—the weak inspection regime, the absence of any restraint on Iran’s ballistic missile programme, and the failure to address its pernicious influence in the middle east, not least its repeated threats to annihilate Israel. I hope that the Foreign Secretary is not playing down these flaws. I urge the Government not only to stick with the agreement, but to push to mend it.

Boris Johnson: The right hon. Lady speaks a good deal of sense. It is a limitation that there is no agreement on the ballistic missile programme, or indeed on Iran’s wider behaviour in the region, but it would have been impossible to get an agreement on the nuclear dossier if those had been brought in. The United States thinks differently, and the President has a global vision of bringing these dossiers together and solving the problem as one. We have yet to see the detail on how he intends to do it, but we will certainly be as supportive as we can.

Mr John Baron (Basildon and Billericay) (Con): We should not underestimate the importance of maintaining a positive direction of travel in the region, particularly given that it will take a series of steps to reach desired outcomes. Given that all the evidence suggests that Iran has adhered to the agreement, has the time come for the international community to act in concert in pursuing and maintaining this agreement, even if that means isolating the US for the time being, not just diplomatically but when it comes to sanctions against Iran, where possible?

Boris Johnson: I must say that, speaking as somebody who was born in New York, now I come to think of it, I see absolutely no advantage in isolating the United States, our closest and most important ally. Our job of work on the Government side of the House is to bring the United States back into agreement and to get a successor deal that the President wants to achieve.

Tulip Siddiq (Hampstead and Kilburn) (Lab): The Foreign Secretary is well aware of the case of my constituent Nazanin Zaghari-Ratcliffe, who has now been in prison in Iran for two years, one month and seven days. Nazanin has been told explicitly by sources in the judiciary that her imprisonment is linked to the unpaid debt that our country owes Iran. Will the Foreign Secretary assure me that when he is negotiating with Iran in the coming days he will talk about paying back that debt and bringing my constituent back home to West Hampstead?
Boris Johnson: I pay tribute to the hon. Lady for the work she has done for her constituent. As I have said to her many times, we have a number of very tough consular cases with Iran—alas, the number is growing—and they do not necessarily benefit from day-to-day discussions, as she knows.

Sir Desmond Swayne (New Forest West) (Con): The economic advantages of the agreement have been used by the hard-liners to project malign power throughout the region, so will my right hon. Friend agree to support proportionate measures brought forward by the President to constrain that power?

Boris Johnson: Yes, if he comes back into the deal.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): This very worrying decision by President Trump could lead to at least three cataclysmic scenarios: first, the takeover of the Iranian regime by hard-liners; secondly, the eventual development of an Iranian nuclear bomb; and thirdly, ultimately, another war in the middle east. Which scenarios does the Foreign Secretary consider to be most likely?

Boris Johnson: As the hon. Gentleman knows, Iran remains in compliance. Iran has not elected to proceed to enrichment or to break out of the agreement, and the UK will be working to ensure that remains the case.

Michael Fabricant (Lichfield) (Con): The agreement has unfortunately enabled Iran to spend over $100 billion over the past five years on its operations in Syria, and it is spending even more on its intercontinental ballistic missile programme. Many people believe that a country does not spend billions on an ICBM programme merely to put a $100 TNT warhead on it. Can my right hon. Friend not at least understand the motivation of the United States Administration and perhaps work with them on this?

Boris Johnson: We are of course working hand-in-glove with the United States, but we do believe that there were advantages in maintaining the discrete deal at the heart of the JCPOA and stopping Iranian breakout. We thought that was a good idea. We certainly share the general ambition across the House to constrain Iran’s malignant activity.

Geraint Davies (Swansea West) (Lab/Co-op): France, Germany and the United Kingdom have stood shoulder to shoulder in supporting the nuclear peace deal, and the US has walked away. Does that not show that it is not the customs union that is crazy, but the idea that we can instead have a trade deal with the United States that we think will put mutual interests before Trump’s and the US’s self-interest?

Boris Johnson: I am sure that in due course we will get a great trade deal with the United States, so I am not quite sure what that has to do with the JCPOA.

Andrew Percy (Brigg and Goole) (Con): The truth is that there are no moderates in the Iranian regime, and the use of the word “moderates” leads to conclusions that are simply not the case. It is a regime that murders its own people, including minorities, that is an exporter of terrorism, and that is destabilising the middle east. Perhaps the fact that none of that is covered under the JCPOA explains why Iran may indeed be compliant with it. I therefore urge the Foreign Secretary to work with the United States on a replacement to the deal, that deals with Iran’s increasingly malign and dangerous influences elsewhere in the middle east.

Boris Johnson: I hope that my hon. Friend will use his good offices to encourage the United States to come forward with detail on such plans at its earliest convenience.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): In terms of practicalities, what is the Department’s assessment of a successor trade deal with the United States when that country might punish UK companies that are legitimately conducting business in Iran under international agreements?

Boris Johnson: As I have said several times, we will do everything that we can to protect legitimate commercial activity by UK concerns.

Zac Goldsmith (Richmond Park) (Con): Is it the case that International Atomic Energy Agency inspectors are still being denied access to key sites across Iran? If so, how can we have any confidence at all that Iran is honouring its commitments?

Boris Johnson: Mr Amano has told me that the IAEA is getting all the access it needs. Indeed Mike Pompeo, the head of US intelligence, has confirmed that Iran is now in compliance with the JCPOA.

Thangam Debbonaire (Bristol West) (Lab): The Foreign Secretary said that he has no difficulty with President Trump’s goal of working with our allies to find a real, comprehensive and lasting solution to the Iranian nuclear threat. The Foreign Secretary then asked how the US proposes to achieve that. What suggestions does he have for the United States President?

Boris Johnson: I thought that we made a series of very fruitful suggestions, and we will continue to make such suggestions. The central idea is that, around the core of the JCPOA, we build a superstructure—a follow-on agreement—that addresses the problems of the sunset clauses and the issues of the ICBMs, and satisfies the anxieties of the President and of many colleagues in the House today.

Richard Drax (South Dorset) (Con): My right hon. Friend is obviously much better briefed than I am but, as I understand it, Iran is not in compliance with all the letter of the agreement. Can he assure me that Israel, which the Iranians have sworn to wipe off the earth, will not now strike Iran in a counter-attack to prevent any further escalation in building nuclear missiles?

Boris Johnson: As I have said several times, to the best of my knowledge Iran is in compliance with the JCPOA. It would be rash of me to seek to pronounce on behalf of the Israeli Government at this stage.

Catherine West (Hornsey and Wood Green) (Lab): What assessment has the Foreign Office made of Mr Trump’s announcement in February 2018 that the
US will develop a batch of new smaller nuclear weapons? Mr Trump reportedly asked his foreign policy advisers why the US does not use nuclear weapons. Will the Foreign Secretary please make it clear to the House that it is never in any country’s interest to use nuclear weapons?

**Boris Johnson:** I think that the President of the United States understands the logic of nuclear deterrence as well as anyone, and that logic is to avoid the use of nuclear weapons.

**James Cleverly** (Braintree) (Con): The JCPOA was rushed and flawed, and it was never ratified by Congress, which is one of the reasons why it was vulnerable to being changed by President Trump. Will my right hon. Friend ensure that whatever structure replaces the JCPOA is built on firmer foundations and goes through Congress, and is therefore sustainable, to ensure that Iran does not continue to flout international laws and norms and does not abuse its own people and others, and to minimise the danger of a nuclear-armed Iran?

**Boris Johnson:** The JCPOA took 13 years to negotiate, so to say it was rushed is perhaps a slight exaggeration. I want the House to remember the crucial point that the JCPOA has not gone. The JCPOA is there, and the UK is a party to it, as are France, Germany, Russia, China, the EU and Iran, and that will continue. We will do our level best, around that core, to build a superstructure or entablature—whatever we want to call it—to allay my hon. Friend’s understandable concerns.

**Peter Grant** (Glenrothes) (SNP): Although I appreciate that the Foreign Secretary cannot go into detail here, can he assure us that the Intelligence and Security Committee will be briefed on what reassessments now need to be done of the global threat to United Kingdom citizens so that this Parliament can be assured that our security services are taking cognisance of the increased risk we now face as a result of the premature and stupid actions of our so-called closest ally?

**Boris Johnson:** For the hon. Gentleman’s reassurance, I refer him to the answer I have given several times today. Iran has decided, for the time being at least, to remain in compliance with the JCPOA, and the UK will work to try to perpetuate that agreement.

**Bob Blackman** (Harrow East) (Con): One of the problems faced under the agreement is that Iran has continued to develop nuclear facilities, such as the one discovered at Fordow and that recently discovered at Natanz—Natanz was discovered only by opposition groups in Iran. Can my right hon. Friend confirm that those facilities, which were not included in the original agreement, have been inspected and are in conformance with the deal? Is not one of the problems that the deal does not constrain Iran from developing further nuclear facilities?

**Boris Johnson:** My hon. Friend speaks on this matter with a great deal of interest and authority. The IAEA has conducted 400 inspections and confirmed nine times that Iran is in compliance. Iran has reduced its number of centrifuges by two thirds and its stock of enriched uranium by 95%. On that basis alone, the agreement must be counted a success.

**Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): First the Paris agreement and now the Iran deal—does this show that the USA’s signature is not worth the paper it is written on? Our Government must show that we honour our agreements. We must particularly protect British interests and British companies against forthcoming US sanctions that will affect us. Will the Secretary of State build an alliance with the remaining partners in the Iran deal, whose collective GDP is twice the USA’s, and use the EU sanctions-blocking regulations that were first used in 1996? Just as we have on the Paris agreement, will we strengthen our resolve to thwart this retrograde step by the Trump Administration?

**Boris Johnson:** We will certainly work with our friends and partners to keep the deal going and to protect the interests of UK companies and people.

**Mr Philip Hollobone** (Kettering) (Con): The nuclear deal with Iran does not end Iran’s nuclear weapons programme. At best, it just pauses the programme until 2025. By the Foreign Secretary’s own admission, Iran will then be capable of developing a deliverable nuclear weapon within a year. The price for all that, in the meantime, is that the sanctions relief is funding a campaign of terror throughout the region. We complain frequently in the House about the fact that millions of people are living in misery in Yemen. Well, that is because of the Iranian-backed Houthi rebellion, which is funded by this sanctions relief. There are hundreds of thousands of rockets on Israel’s northern border. Appeasement did not work in the 1930s, and it will not work now.

**Boris Johnson:** I am absolutely at one with my hon. Friend in his desire to be tough on Iran. The question is whether we can achieve that by getting rid of the JCPOA. If we get rid of the JCPOA, what would our subsequent plans be? What would be the options, really, for being tough on Iran in the way he wants? The right hon. Member for Islington South and Finsbury (Emily Thornberry) suggested bombing but, after closely interrogating everybody I could find in the White House, I would say that there is no enthusiasm in the United States for a military option, and there is no such plan. What we want to hear now is the successor plan.

**Rehman Chishti** (Gillingham and Rainham) (Con): I refer the Secretary of State to the Prime Minister’s statement at the Gulf Co-operation Council summit in 2016: “I am clear-eyed about the threat that Iran poses to the Gulf and the wider Middle East.” She said that we will work with our GCC partners to “counter that threat.” Can the Secretary of State clarify what tangibly has been done to counter that threat? Apart from all the countries named today, another country, Morocco, expelled the Iranian ambassador this May in reaction to Iran’s aggressive behaviour in Morocco. The deal was defective, so do we carry on with a defective deal, or do we stand by our principles and say that enough is enough?
Boris Johnson: What we do is recognise that the deal itself is not defective, but that we have other challenges in countering Iranian malign behaviour. As my hon. Friend knows, we have 214 separate sanctions regimes, and the UK is in the lead in trying to halt the distribution of Iranian missiles and other malign activity across the region. That is the way to do it.

Dr Matthew Offord (Hendon) (Con): The breadth and scope of the Iranian nuclear programme indicates that it is not exclusively for civilian use. What assessment has the Secretary of State made of the Prime Minister of Israel’s comments that Iran has already taken steps to revive its nuclear programme and is very likely to do so, particularly in 2025?

Boris Johnson: As I say, the show and tell by Benjamin Netanyahu indicated that Iran did have a nuclear ambition in the run-up to 2003. I thought that his logic indicated that it was a good idea to have a JCPOA and to stop Iran going ahead with a nuclear weapon. I must say to all those who have alternative ideas for restraining Iran in its acquisition of a nuclear weapon that if they have a military solution and if they have alternative ideas, now is the time for them to come forward with those ideas.

Mrs Pauline Latham (Mid Derbyshire) (Con): My right hon. Friend has made it clear that he believes that the agreement is being upheld by Iran. What is his view on encouraging legitimate trade between it and our country to help to foster good relations?

Boris Johnson: It is important that we continue to do that, in the spirit of the agreement and to support legitimate UK business activity.

Alec Shelbrooke (Elmet and Rothwell) (Con): Nobody is in any doubt that the Iranian regime is responsible for great terror and often war, certainly in the region and in other areas of the world. My right hon. Friend, as a scholar of Churchill, will recognise the phrase, “Jaw-jaw is better than war-war,” so may I congratulate him on going out to Washington? He will also recognise that this is about not just the White House, but Capitol Hill. As we try to lead America to work on the deal and see how it can be adjusted, he should therefore also give attention to the House of Representatives.

Boris Johnson: I thank my hon. Friend for his work in building our relationships with Capitol Hill. As he knows, in Congress there is a very wide measure of support for the JCPOA and a great deal of confusion about the exact motives of the White House in choosing to walk away from it.

Helen Whately (Faversham and Mid Kent) (Con): My right hon. Friend would have preferred America to stay in the nuclear agreement, but given that it has not, will he say what scope he sees in working with the US to constrain Iran’s wider activities, which are destabilising the region?

Boris Johnson: America is our No. 1 friend, ally and partner, and we will continue to work with it to constrain Iran’s malign behaviour in the region in every possible way.

James Heappey (Wells) (Con): The Foreign Secretary has my support for the line he has taken, but he probably has less support from the Israelis, Saudis, Emiratis and other key partners in the region. What steps has he taken over the weekend to reassure those friends of ours in the region of our commitment to supporting them against the malign threat of Iran?

Boris Johnson: I am grateful to my hon. Friend for his question. We have made it very clear to our good friends in the Gulf that we do not share entirely their perspective on this matter and that we do think there are merits in the nuclear deal—they understand that. I must say to all those who want an alternative future in the Gulf and elsewhere that it is incumbent on them to show us a better way of constraining Iran’s nuclear ambitions, specifically.

Julian Knight (Solihull) (Con): Does my right hon. Friend agree that whereas some may disagree with what the President has done, it is a mistake to indulge in any anti-American rhetoric, as the US is, and remains by a country mile, our most important ally?

Boris Johnson: I thank my hon. Friend. Friend, salute his sentiments, and wish that they were more widely shared across the House.

Kevin Foster (Torbay) (Con): When the House considered this deal a couple of years ago, I said that it was about one issue and not about taking our eye off the range of appalling issues the Iranian regime is responsible for, not least its appalling human rights record. Does my right hon. Friend agree that although it is regrettable that the US has pulled out, Iran still needs to stick to this deal and, ultimately, it will be up to Iran whether it has a nuclear programme or not?

Boris Johnson: That is completely right and, as all hon. Members will recall, it is in the preamble of the JCPOA that Iran forswears nuclear weapons and Iran is still a signatory of the non-proliferation treaty.

Ross Thomson (Aberdeen South) (Con): From Beirut to Basra, Iran is a malign influence in the region, with its destabilising activities and its hegemonic ambitions. I agree with, and welcome, the statement from my right hon. Friend at the weekend that there are flaws in the deal. What reassurance can he give the House about steps he will be taking, alongside our ambassador in Iran, to cover those flaws? What tangible progress is being made to curtail Iran’s activities?

Boris Johnson: The most important thing we can do, as I have said several times, is to deal with the problem of the sunset clauses, which has been identified repeatedly across the House, and with the ICBMs—I think we have dealt with the issue of inspection—and then to constrain Iran’s wider activity in the region. As I have said repeatedly, we are working closely with the Americans and others to do so.
Points of Order

1.36 pm

Anna McMorrin (Cardiff North) (Lab): On a point of order, Madam Deputy Speaker. I seek your advice, after trying to raise this matter with the Prime Minister today. A constituent of mine’s wife and seven-year-old daughter are facing a deportation order next Tuesday. Having fled Saddam’s Iraq in 1998, Sarbast Hussain has served this country loyally and is a British citizen, but he has been waiting for a new passport since last summer. In view of the extreme urgency of this case, what recourse is there for me to help them urgently to turn this around?

Madam Deputy Speaker (Dame Rosie Winterton): The matter that the hon. Lady raises is not a point of order, but I understand her concerns. She has put them on the record and those on the Treasury Bench will have heard them. I suggest she raises this matter directly with Ministers or through other channels, and I am sure she will do so.

Sir Mike Penning (Hemel Hempstead) (Con): On a point of order, Madam Deputy Speaker. I wonder whether you have had any notification that the Secretary of State for Health and Social Care will come to the House to explain to me and my constituents why my local urgent care centre, which looks after my community, was closed at night 18 months ago without consultation, and now board papers have gone forward to permanently close it following a bogus consultation. I wonder whether the Secretary of State is around. Might you let us know when he will be here so that we can ask that question?

Madam Deputy Speaker: I have not received any notification that the Secretary of State is about to make an appearance but, again, I am sure that those on the Treasury Bench will have heard the right hon. Gentleman’s concerns, and I am absolutely convinced that he will find ways of raising them with Ministers directly.

Afzal Khan (Manchester, Gorton) (Lab): On a point of order, Madam Deputy Speaker. The Committee to consider my Parliamentary Constituencies (Amendment) Bill met this morning, but it could not consider any clauses as they all require a money resolution. During the sitting, the Parliamentary Secretary, Cabinet Office, the hon. Member for Norwich North (Chloe Smith) made it clear that the Government had no intention of bringing one forward. She said, “It would not be appropriate to proceed with the Bill at this time by providing it with a money resolution. The Government will keep this Bill under review, but we believe it is right that we allow the Boundary Commission to report its recommendations before carefully considering how to proceed.”

Members gave the Bill its Second Reading almost unanimously—by 229 votes to 44—but it appears that the Government are trying to frustrate the will of the House and circumvent democracy by preventing the Bill’s consideration in Committee. What is the best way to ensure that the Government table a money resolution before the Committee next meets on Monday?

Madam Deputy Speaker: I thank the hon. Gentleman for giving me notice that he intended to raise this matter. When to bring forward a money resolution is in the hands of the Government. I appreciate that on this particular occasion the situation is rather unsatisfactory for the hon. Gentleman. I suggest that he encourages his Front-Bench colleagues to pursue this matter through the usual channels, and he might also raise it himself at business questions on Thursday.

BILL PRESENTED

Plastics Bill

Presentation and First Reading (Standing Order No. 57)

Geraint Davies, supported by Zac Goldsmith, John Mc Nally, Layla Moran, Mary Creagh, Steve Double, Chris Williamson, Mr Alistair Carmichael, Yasmin Qureshi, Daniel Zeichner, Susan Elan Jones and Mr Tanmanjeet Singh Dhesi, presented a Bill to require the Secretary of State to set, measure, enforce and report on targets for the reduction and recycling of plastic packaging; to require that such targets following the United Kingdom’s withdrawal from the European Union at least match such targets set by the European Union; to establish enforcement mechanisms in respect of such targets and associated provisions; to make provision for support for the development of sustainable alternatives to plastic packaging; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 15 June, and to be printed (Bill 207).
European Union Withdrawal Agreement (Public Vote)

Motion for leave to bring in a Bill (Standing Order No. 23)

1.40 pm

Gareth Thomas (Harrow West) (Lab/Co-op): I beg to move,

That leave be given to bring in a Bill to provide that any Withdrawal Agreement between the United Kingdom and the European Union shall not have effect without a vote by the electorate of the United Kingdom and Gibraltar to that effect; to make arrangements for the holding of such a public vote; and for connected purposes.

There should be a democratic public vote on whether to accept the deal that the Government achieve to leave the European Union. A people’s vote would allow the public, rather than just us in the House of Commons, to make the final decision about whether to accept the Brexit deal. The 2016 referendum determined that Britain should negotiate the country’s departure from the European Union, and I have always respected that decision—I voted for article 50 to be triggered—but the terms on which we leave and on Britain’s future relationship with the European Union were never clearly defined or put to the public in 2016.

New facts about Brexit have emerged that could never have been known at the time of the referendum. We now know that the promises made about Brexit—such as £350 million a week extra for the NHS and a deal with the exact same benefits—will not be kept. Who knew that Brexit negotiators would be willing to hand over £40 billion to leave the European Union, and for a much worse relationship? With negotiations obviously not going well and the Cabinet not able to agree among itself, even on future customs arrangements and what to do about the Northern Ireland border, it is more and more likely that the Government will present us with a deal, the details of which we lea ve and on Britain’s future relationship with the European Union were never clearly defined or put to the public in 2016.

It is now clear that it is Ministers, and not the European Union, holding back our fishermen from expanding their operations. As a former trade Minister, I know that many of the much-heralded new trade deals that Ministers want to negotiate will involve significant immigration to the UK—a truth that Ministers have been reluctant to explain. It is already clear that when big trading nations like the US sit down to negotiate with us on our own, they will expect us to lower the environmental, health and safety standards that we have in the UK. Chlorinated chicken would be just the start; of course, it is well known that private American healthcare chains have ambitions to be allowed to expand into our NHS.

The Prime Minister has said emphatically that the country will have full details about the deal that has been negotiated before we leave the European Union, and I take her at her word. We already know the details of the divorce deal and the transition. We know some key parts of the deal that the Government are negotiating—notably that they want to leave the customs union and the single market. The Government decided that only after the referendum was held; it was not on the ballot paper. If, despite what the Prime Minister has promised, the Government try to fo the country off with only vague plans about leaving—if much of our future relationship remains unclear—it will be even more important to have a people’s vote, because of the danger that we will be charging off into the unknown.

This is the greatest country in the world, and I want it to be greater still. The Brexit deal is bigger than any piece of legislation, more significant than any budget, and will have more impact than any current Government Minister on the future of our country. On something as big as the Brexit deal, why should it be only us, here in this House, who get to decide what is good enough? Why cannot my neighbours—the people in my community who shop in the supermarkets that I use, and who walk the same streets as I do—have a vote on the deal, too? Why am I set to be the only person living in Harrow who will get a say on whether the Brexit deal is any good? Why will people in Belfast, Shropshire, Lincoln, Stirling or Aberystwyth not get a vote on the deal that will have such a big impact on their lives and those of their children?

Whatever we think of Brexit—whether we voted remain or leave; whether we think we will get a good deal or a bad deal—we can all surely agree that it is a huge deal. That means that it is much too important to be left to the 650 of us here is Westminster to decide on our own. The 65 million people of this great country deserve to have their voices heard on the Brexit deal as well. That is why I support a people’s vote on the terms of Brexit, and that is what I will be campaigning on over the coming months. That is also why I urge the House to support the Bill.

Question put and agreed to.

Ordered.

That Gareth Thomas, Stephen Timms, Dr Rupa Huq, Andy Slaughter, Stephen Doughty, Anna Turley, Susan Elan Jones, Tom Brake, Jonathan Edwards, Caroline Lucas, Daniel Zeichner and Paul Flynn present the Bill.

Gareth Thomas accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 6 July, and to be printed (Bill 208).
Jeremy Quin (Horsham) (Con): On a point of order, Madam Deputy Speaker. Will you please inform us about the timing of today’s proceedings? I am trying to get my head around whether there is a 90-minute —[Interruption.] I think I have confirmed my own assumptions on the timing, Madam Deputy Speaker. I am most grateful for the indulgence of the House.

DATA PROTECTION BILL [LORDS] (PROGRAMME) (NO. 2)

Ordered,

That the Order of 5 March 2018 (Data Protection Bill [Lords] (Programme)) be varied as follows:

(1) Paragraphs 4 and 5 of the Order shall be omitted.

(2) Proceedings on Consideration and up to and including Third Reading shall be taken in one day in accordance with the following provisions of this Order.

(3) Proceedings on Consideration—

(a) shall be taken in the order shown in the first column of the following Table, and

(b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

<table>
<thead>
<tr>
<th>Proceedings</th>
<th>Time for conclusion of proceedings</th>
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<tbody>
<tr>
<td>New Clauses, new Schedules and amendments relating to the processing of personal data for the purposes of journalism</td>
<td>4.00 pm, or two hours after the commencement of proceedings on the Motion for this Order, whichever is the later.</td>
</tr>
<tr>
<td>Remaining proceedings on Consideration</td>
<td>6.00 pm.</td>
</tr>
</tbody>
</table>

(4) Proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion at 6.00 pm.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 7.00 pm.—(Nigel Adams.)

New Clause 19

GUIDANCE ABOUT HOW TO SEEK REDRESS AGAINST MEDIA ORGANISATIONS

“(1) The Commissioner must produce and publish guidance about the steps that may be taken where an individual considers that a media organisation is failing or has failed to comply with the data protection legislation.

(2) In this section, ‘media organisation’ means a body or other organisation whose activities consist of or include journalism.

(3) The guidance must include provision about relevant complaints procedures, including—

(a) who runs them,

(b) what can be complained about, and

(c) how to make a complaint.

(4) For the purposes of subsection (3), relevant complaints procedures include procedures for making complaints to the Commissioner, the Office of Communications, the British Broadcasting Corporation and other persons who produce or enforce codes of practice for media organisations.

(5) The guidance must also include provision about—

(a) the powers available to the Commissioner in relation to a failure to comply with the data protection legislation,

(b) when a claim in respect of such a failure may be made before a court and how to make such a claim,

(c) alternative dispute resolution procedures,

(d) the rights of bodies and other organisations to make complaints and claims on behalf of data subjects, and

(e) the Commissioner’s power to provide assistance in special purpose proceedings.

(6) The Commissioner—

(a) may alter or replace the guidance, and

(b) must publish any altered or replacement guidance.

(7) The Commissioner must produce and publish the first guidance under this section before the end of the period of 1 year beginning when this Act is passed.”—(Matt Hancock.)

This new clause would be inserted after Clause 172. It requires the Information Commissioner to produce guidance about how individuals can seek redress where a media organisation (defined in subsection (2) of the new clause) fails to comply with the data protection legislation, including guidance about making complaints and bringing claims before a court.

Brought up, and read the First time.

1.49 pm

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to discuss the following:

Government new clause 22—Review of processing of personal data for the purposes of journalism.

Government new clause 23—Data protection and journalism code.

New clause 18—Data protection breaches by national news publishers—

“(1) The Secretary of State must, within the period of three months beginning with the day on which this Act is passed, establish an inquiry under the Inquiries Act 2005 into allegations of data protection breaches committed by or on behalf of national news publishers and other media organisations.
[Madam Deputy Speaker]

(2) Before setting the terms of reference of and other arrangements for the inquiry the Secretary of State must—
(a) consult the Scottish Ministers with a view to ensuring, in particular, that the inquiry will consider the separate legal context and other circumstances of Scotland;
(b) consult Northern Ireland Ministers and members of the Northern Ireland Assembly with a view to ensuring, in particular, that the inquiry will consider the separate legal context and other circumstances of Northern Ireland;
(c) consult persons appearing to the Secretary of State to represent the interests of victims of data protection breaches committed by, on behalf of or in relation to, national news publishers and other media organisations; and
(d) consult persons appearing to the Secretary of State to represent the interests of news publishers and other media organisations (having regard in particular to organisations representing journalists).

(3) The terms of reference for the inquiry must include requirements—
(a) to inquire into the extent of unlawful or improper conduct by or on behalf of national news publishers and other organisations within the media in respect of personal data;
(b) to inquire into the extent of corporate governance and management failures and the role, if any, of politicians, public servants and others in relation to failures to investigate wrongdoing at media organisations within the scope of the inquiry;
(c) to review the protections and provisions around media coverage of individuals subject to police inquiries, including the policy and practice of naming suspects of crime prior to any relevant charge or conviction;
(d) to inquire into the adequacy of the current regulatory arrangements and the resources, powers and approach of the Information Commissioner and any other relevant authorities in relation to personal data;
(e) to examine the news publishing industry (except in relation to entities regulated by Ofcom) across all platforms and in the light of experience since 2012;
(f) to inquire into the extent of corporate governance and management failures and the role, if any, of politicians, public servants and others in relation to failures to investigate wrongdoing at media organisations within the scope of the inquiry;
(g) to inquire into the extent of corporate governance and management failures and the role, if any, of politicians, public servants and others in relation to failures to investigate wrongdoing at media organisations within the scope of the inquiry;
(h) to inquire into the extent of corporate governance and management failures and the role, if any, of politicians, public servants and others in relation to failures to investigate wrongdoing at media organisations within the scope of the inquiry;
(i) to inquire into the extent of corporate governance and management failures and the role, if any, of politicians, public servants and others in relation to failures to investigate wrongdoing at media organisations within the scope of the inquiry;
(j) to make such recommendations as appear to the Secretary of State to be appropriate for the purpose of ensuring that the privacy rights of individuals are balanced with the right to freedom of expression.

(4) In setting the terms of reference for the inquiry the Secretary of State must—
(a) have regard to the current context of the news, publishing and general media industry;
(b) must set appropriate parameters for determining which allegations are to be considered;
(c) determine the meaning and scope of references to national news publishers and other media organisations for the purposes of the inquiry.

(5) Before complying with subsection (4) the Secretary of State must consult the judge or other person who is likely to be invited to chair the inquiry.

(6) The inquiry may, so far as it considers appropriate—
(a) consider evidence given to previous public inquiries; and
(b) take account of the findings of and evidence given to previous public inquiries (and the inquiry must consider using this power for the purpose of avoiding the waste of public resources).

(7) This section comes into force on Royal Assent.”

This new clause would require the establishment of an inquiry under the Inquiries Act 2005 as recommended by Lord Justice Leveson for Part two of his Inquiry.

New clause 20—Publishers of news-related material: damages and costs (No. 2)—

“(1) This section applies where—
(a) a relevant claim for breach of the data protection legislation is made against a person (‘the defendant’),
(b) the defendant was a relevant publisher at the material time, and
(c) the claim is related to the publication of news-related material.

(2) If the defendant was a member of an approved regulator at the time when the claim was commenced (or was unable to be a member at that time for reasons beyond the defendant’s control or it would have been unreasonable in the circumstances for the defendant to have been a member at that time), the court must award costs against the claimant unless satisfied that—
(a) it is just and equitable in all the circumstances of the case, including, for the avoidance of doubt—
(i) the conduct of the defendant, and
(ii) whether the defendant pleaded a reasonably arguable defence, to make a different award of costs or make no award of costs.

(3) If the defendant was not an exempt relevant publisher and was not a member of an approved regulator at the time when the claim was commenced (but would have been able to be a member at that time and it would have been reasonable in the circumstances for the defendant to have been a member at that time), the court must award costs against the defendant unless satisfied that—
(a) it is just and equitable in all the circumstances of the case, including, for the avoidance of doubt—
(i) the conduct of the claimant, and
(ii) whether the claimant had a reasonably arguable claim, to make a different award of costs or make no award of costs.

(4) This section is not to be read as limiting any power to make rules of court.

(5) This section does not apply until such time as a body is first recognised as an approved regulator.”

This new clause would provide that court costs of non-abusive, non-vexatious, and non-trivial libel and intrusion claims would be awarded against a newspaper choosing not to join a Royal Charter-approved regulator offering low-cost arbitration, but that newspapers who do join such a regulator would be protected from costs awards even if they lose a claim.

New clause 21—Publishers of news-related material: interpretive provisions (No. 2)—

“(1) This section applies for the purposes of section (Publishers of news-related material: damages and costs (No. 2)).

(2) “Approved regulator” means a body recognised as a regulator of relevant publishers.

(3) For the purposes of subsection (2), a body is “recognised” as a regulator of relevant publishers if it is so recognised by any body established by Royal Charter (whether established before or after the coming into force of this section) with the purpose of carrying on activities relating to the recognition of independent regulators of relevant publishers.
“Relevant claim” means a civil claim made in respect of data protection under the data protection legislation, brought in England or Wales by a claimant domiciled anywhere in the United Kingdom.

(5) The “material time”, in relation to a relevant claim, is the time of the events giving rise to the claim.

(6) “News-related material” means—

(a) news or information about current affairs,

(b) opinion about matters relating to the news or current affairs, or

(c) gossip about celebrities, other public figures or other persons in the news.

(7) A relevant claim is related to the publication of news-related material if the claim results from—

(d) the publication of news-related material, or

(e) activities carried on in connection with the publication of such material (whether or not the material is in fact published).

(8) A reference to the “publication” of material is a reference to publication—

(f) on a website,

(g) in hard copy, or

(h) by any other means,

and references to a person who “publishes” material are to be read accordingly.

(9) A reference to “conduct” includes a reference to omissions; and a reference to a person’s conduct includes a reference to a person’s conduct after the events giving rise to the claim concerned.

(10) “Relevant publisher” has the same meaning as in section 41 of the Crime and Courts Act 2013.

(11) A relevant publisher is exempt if it satisfies Condition A or B.

(12) Condition A is that the publisher has a constitution which—

(a) requires any surplus income or gains to be reinvested in the publisher, and

(b) does not allow the distribution of any of its profits or assets (in cash or in kind) to members or third parties.

(13) Condition B is that the publisher—

(a) publishes predominantly in Scotland, or predominantly in Wales, or predominantly in Northern Ireland or predominantly in specific regions or localities; and

(b) has had an average annual turnover not exceeding £100 million over the last five complete financial years.

This new clause would provide that the penalty incentives in New Clause 20 would not apply to companies which publish only on a regional or local basis and have an annual turnover of less than £100m. It sets out that only data protection claims are eligible, and provides further interpretive provisions.

Amendment 144, page 122, line 10, in clause 205, leave out “Section 190 extends” and insert—

“Sections (Publishers of news-related material: damages and costs (Amendment 2), (Publishers of news-related material: interpretive provisions (Amendment 2) and 190 extend”.

Amendment 14, page 156, line 4, in schedule 2, at end insert—

“(d) any code which is adopted by an approved regulator as defined by section 42(2) of the Crime and Courts Act 2013.”

This amendment would give the Standards Code of an approved press regulator the same status as the other journalism codes recognised in the Bill (The BBC and Ofcom Codes, and the Editors’ Code observed by members of IPSO).

Matt Hancock: The Data Protection Bill sets out a full new data protection regime for Britain, giving people more control over their data.

First, I wish to address new clauses 20 and 21, before turning to the other new clauses. These new clauses are essentially the provisions contained in sections 40 and 42 of the Crime and Courts Act 2013, although they would apply only to breaches of data protection law and only in England and Wales.

Let me first set out exactly what these new clauses would mean and then our approach to them. They would set new cost provisions for complaints against the press, which means that any publication not regulated by IMPRESS would have to pay the legal costs for any complaint against it, whether it won or lost. Many would object to that and say that it goes against natural justice. It is grounds enough to reject these new clauses on the basis that the courts would punish a publication that has done no wrong, but that is not the only reason.

Let us consider the impact of these new clauses on an editor. Faced with any criticism, of any article, by anyone with the means to go to court, a publication would risk having to pay costs, even if every single fact in a story was true and even if there was a strong public interest in publishing. Let us take, for example, Andrew Norfolk, the admirable journalist who uncovered the Rotherham child abuse scandal. He said that section 40 would have made it “near impossible” to do his job. He went on to say that it would have been “inconceivable” to run the front page story naming one of the abusers in a scandal that had ruined the lives of 1,400 innocent young people with disgusting crimes that had gone on for years and years and years. Without Andrew Norfolk’s story, the scandal would have gone on for years and years more.

Ian C. Lucas (Wrexham) (Lab): If the Secretary of State is so opposed to section 40, why did he support it?

Matt Hancock: I will come on to what has changed in the many years since 2013, not least of which is the fact that we now have a full-blown independent press regulator, the Independent Press Standards Organisation, which did not exist back then.

Bill Wiggin (North Herefordshire) (Con): I am most grateful to my right hon. Friend for giving way. First, IPSO is not a press regulator, because it does not comply with the requirements to be a regulator; it is merely a complaints handler. Secondly, he may have inadvertently misled the House, because it is not necessary to join IMPRESS as he said earlier on. It is necessary for regulators to comply with the rules, which is slightly different.
**Matt Hancock:** There is no recognised press regulator other than IMPRESS. As many journalists have pointed out, the truth is that these new clauses would have made it near impossible to uncover some of the stories of abuse, including the abuse of all those children in Rotherham. Another example is that of Mark Stephens, who represented phone hacking victims. He wrote today that the new clauses would 

“return Britain to the legal Dark Ages and make it easier for wealthy people to suppress negative stories.”

The impact on local newspapers, too, risks being catastrophic. I say do not just take my word for it. The editor of the *Express & Star*, well known to the hon. Member for West Bromwich East (Tom Watson), said that the new clauses could spell the end of newspaper printing in this country on a large scale and are a 

“ludicrous and patently unfair…piece of legislation.”

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): Will the Secretary of State confirm to the House that the BBC, Channel 4 and every other broadcaster operates under much more stringent rules, and yet nothing seems to have got in the way of their powers of interrogation and investigation? Does he think that they are operating second-class investigations today?

**Matt Hancock:** We have three separate systems of media regulation in this country: a separate system for broadcasters; an essentially self-regulated system under IPSO for newspapers; and then there is the issue of how we make sure that what happens online is properly accounted for. I also want to see a press that is fair and accurate. I am determined that we have a strengthened system so that people have recourse to justice when things go wrong.

**Tom Tugendhat** (Tonbridge and Malling) (Con): Does my right hon. Friend agree that, in many ways, there are two forms of media already operating in this country? One is printed, published and broadcast from reputable sources, which have assets in this country that we can take action against, or not, and the other form is websites that have either very low assets or no assets in this country with very different accountability. Bizarrely, could we not find ourselves in a position under this system where the only people who can get justice are those who are rich enough, such as Peter Thiel, to destroy the website Gawker, in this case, because it was acting against him, rather than those of us on more modest means who would have absolutely no recourse against these organisations, but yet all the news would have gone online because these regulations would force out our newspapers?

**Matt Hancock:** My hon. Friend is completely right about the gap between online and print in terms of standards of regulation. That is because IPSO was brought into force—I was glad to see it being introduced in 2014. He is also right that tackling the problems online is critical. Our internet safety strategy, which will be published in the next couple of weeks, will address that matter directly. I know that there are many Members who have concerns about the impact of content online, of abuse online, and of the ability to get redress online, and we will not let that rest. We will ensure that we take action to tackle the problems online in the same way that IPSO deals with the press and indeed that these new clauses deal with publications in the press.

I am glad that IPSO now has the power to require front page corrections as it did, for instance, just a couple of weeks ago with *The Times*. As the House knows, I have pushed IPSO to bring in further measures. It recently introduced a system of compulsory low-cost arbitration. This means that ordinary people who do not have large sums of money can take claims to newspapers for as little as £50. Almost all of the major national newspapers have signed up to it. That means that anyone who has been wronged by a national newspaper can, for the first time, ask for arbitration and the newspaper cannot refuse. The scheme applies not just to words, but to images. This must be the start of a tougher regime, and not the conclusion.

**Mr Peter Bone** (Wellingborough) (Con): Is not one of the problems that the scheme does not include everyone? It is compulsory, but does not include everyone. When MailOnline is excluded, does that not leave a whacking great hole in it?

**Matt Hancock:** I have a lot of sympathy with the views of my hon. Friend. MailOnline is, of course, an online publication, and we are looking at that as part of our internet safety strategy. I am very happy to talk to him about how that can be done. Only in the past week, however, many publications have joined the IPSO low-cost arbitration scheme, which is binding on them, and I very much hope that more will join in the future.
Mrs Anne Main (St Albans) (Con): Will my right hon. Friend also confirm that the new scheme will allow for a higher maximum level of damages of up to £60,000 and that it can be run for as little as £100?

Matt Hancock: That is absolutely right. The minimum access cost will be £50, which means that everybody has access to justice at low cost. There is more to it than that, however. Some people argue that the £60,000 limit on damages is too low, but the arbitration scheme does not stop somebody going to court, so there is access to justice where damages should be higher. The arbitration scheme is an addition to, rather than a replacement for, going to court. It introduces a robust and fair system that is easy for everybody to access, so everyone can have access to justice.

The section 40 amendments would, ironically, have the opposite effect, because anybody with the means to take small newspapers to court could stop them publishing stories for fear of having to pay the costs, even if they get everything right.

Dr Andrew Murrison (South West Wiltshire) (Con): Is it not the case that IPSO proposed its arbitration scheme only when a number of colleagues had tabled amendments that were distinctly unhelpful to the print media? Can we trust that organisation? Will my right hon. Friend be extremely careful about removing the boot from the neck of IPSO, particularly in relation to the review period? I know that he will come on to talk about that shortly, but will he consider tightening the review period, because at the moment it gives IPSO the best part of a decade before there is any prospect of further change if the industry does not behave itself?

Matt Hancock: I agree with the sentiment, which is that we have to ensure that the press remains free but also fair and reasonable, and that is the purpose of the amendment proposing a review period of four years. We will not let matters lie.

Some have asked, “What happens if newspapers pull out of the IPSO scheme?” I think that would send a terrible signal of the newspaper industry’s attitude to the standards that it rightly ought to sign up to. The review is there precisely to address my hon. Friend’s concerns.

Vicky Ford (Chelmsford) (Con): I am pleased to hear the Secretary of State refer to a low-cost scheme. People have told me about their concern that £60,000 may be too low because there needs to be a deterrent. Will the four-year review also cover that £60,000 cap?

Matt Hancock: Given that this is a Data Protection Bill, the review will consider data protection issues, but I would expect it to be as broad as necessary, to ensure that all those matters are considered.

We have listened to concerns raised during the passage of the Bill, including in this debate.

Liam Byrne: I am grateful to the Secretary of State for giving way just before he moves off the subject of IPSO. He has set out arguments in IPSO’s defence. It is not just MailOnline that is outside the arbitration scheme; that is also true of Newsquest and Archant, so a significant chunk of the press is outside it. Brian Leveson said that the regulator needed to have independent board members, independence of operation, fair remedy for complaints, the ability to carry out investigations, the ability to issue fines, and universal arbitration. None of those conditions is put in place by IPSO, so which of those principles does the Secretary of State think should be retired?

Matt Hancock: On the contrary, the scheme introduces new, compulsory, low-cost arbitration to ensure that people can have exactly the recourse to justice mentioned by the right hon. Gentleman. In order to address some of the concerns, we have tabled two new clauses. First, new clause 19 requires the Information Commissioner to publish information on how people can get redress. The point is to ensure that there is a plain English guide to help anyone with a complaint to navigate the system. Secondly, new clause 22 requires the Information Commissioner to create a statutory code of practice, setting out standards on data protection. The point is that, when investigating a breach of data protection law, the commissioner has to decide whether a journalist acted reasonably. When making that judgment, a failure to comply with the statutory code will weigh heavily against the journalist.

Mr Jim Cunningham (Coventry South) (Lab): How binding is the arbitration, and how binding is the code of practice?

Matt Hancock: The arbitration is binding on the newspapers, meaning that anybody who wants to get redress from a newspaper in the scheme can do so up to a limit of £60,000, and then the recourse is through the courts. The Information Commissioner’s statutory code of practice is binding with respect to data protection standards; after all, this is a Data Protection Bill, so that is what is in scope.

Taken together, the changes from IPSO and the new clauses mean that Britain will have the most robust system we have ever had of redress for press intrusion and it will be accessible to all. It will achieve that and the benefits of high-quality journalism, without the negative effect that section 40 would have.

Joanna Cherry (Edinburgh South West) (SNP): I thank the Secretary of State for giving way; he is being very generous in taking interventions. Before he finishes his peroration on the new clauses, will he confirm that they are purely procedural and will give members of the public, including our constituents, absolutely no new rights whatsoever?

Matt Hancock: No, that is not right. The statutory code of practice for journalists must be a consideration in the Information Commissioner’s judgments, and a failure to comply with the statutory code will weigh against the journalist in law. It has precisely the impact that we are trying to bring about.

New clause 18, tabled by the former Leader of the Opposition, the right hon. Member for Doncaster North (Edward Miliband), requires the Government to, in effect, reopen the Leveson inquiry, but only in relation to data protection. I want to say something specific and technical about the new clause. Even on its own terms, it would not deliver Leveson 2 as envisaged. It focuses on
data protection breaches, not the broad question of the future of the press. The new clause, therefore, is not appropriate for those who want to vote for Leveson 2.

The first Leveson inquiry lasted more than a year and heard the evidence of more than 300 people, including journalists, editors and victims. The inquiry was a diligent and thorough examination of the culture, practices and ethics of our press, in response to illegal and improper press intrusion. There were far too many cases of terrible behaviour, and having met some of the victims, I understand the impact that had. The inquiry was followed by three major police investigations, leading to more than 40 criminal convictions. More than £48 million was spent on the police investigations and the inquiry.

Liam Byrne: This is probably a good point for the Secretary of State to remind the House about Brian Leveson’s view of the future of the inquiry. Will he set that out for us?

Matt Hancock: Sir Brian was very clear in his letter to me. He stated that he wanted the inquiry to continue on a different basis. I think, having considered his view and others, that the best approach is to ensure that we do the work necessary to improve the standards of the press, but we do it based on what is needed now to improve things in the future. I will come back to that.

Robert Neill (Bromley and Chislehurst) (Con): I am glad that my right hon. Friend acknowledges the diligence and hard work of Sir Brian Leveson in the inquiry. He highlighted the particular vice of corrupt police officers giving the names of persons—perhaps whose premises are being searched—to corrupt journalists who publish them before charge, and very often those people are never charged. No amount of redress can undo that damage. Will my right hon. Friend meet me and other concerned Members to consider revisions and what additional legal protection can be given to people post-charge to prevent this trade in muck and dirt, sometimes without anybody ever coming before a criminal court, which undermines the presumption in favour of innocence?

Matt Hancock: Yes, I will. My hon. Friend makes a very important point. We are discussing the rules around the disclosure of the names of people who are under investigation before arrest. This is a sensitive area, and we have got to get it right. I want to work with colleagues and others to explore the reporting restriction rules further, and I look forward to meeting him and any others who share those concerns.

Anna Soubry (Broxtowe) (Con): I am grateful to the Secretary of State for giving way; it is very generous of him. Some years ago, I put forward a private Member’s Bill calling for anyone who was accused to keep their anonymity until they were charged. It is all there—it is effectively good to go. I too would very much like to meet the Secretary of State, because this is the right thing to do. People should not be named before they are even charged, unless a judge orders otherwise.

Matt Hancock: I am aware of my right hon. Friend’s proposals, and I look forward to meeting her. Getting the details of this right is incredibly important, and I am happy to take that forward.

Mr Kenneth Clarke (Rushcliffe) (Con): To go back to the key question of holding an inquiry, the Secretary of State rather implies that the first Leveson inquiry is closed and we now face the possibility of starting a new one. Does he not accept that, from the moment it was set up, the Leveson inquiry was always going to be in two parts? That was the commitment of the Government in which he and I served. It was only suspended so that police operations could take place, and it was quite clearly agreed that part 2 of the inquiry would then resume. The case he has to make is: why is he cancelling a previously promised inquiry endorsed by Leveson?

What on earth is the reason for stopping investigations into the kind of things we are all talking about? No one would stop investigations of this kind against any other body in this country.

Matt Hancock: I have a huge amount of respect for my right hon. and learned Friend. I was about to come on to precisely the reason for that. The reason is that inquiries are not costless, and not just in terms of taxpayers’ money; that is one consideration, but inquiries also take hours of official time and ministerial time. They divert energy and public attention—[Interruption.]

Hold on. The question for the House is this: given all the other challenges facing the press, is this inquiry the right use of resources?

There is something in the calls to reopen the inquiry that implies that the problem is that we do not know what happened, but we do know what happened, and then we had police investigations and the convictions. It is fundamental that we get to the bottom of the challenges that the press face today. I want to divert our attention and resources to tackling and rising to the problems of today and ensuring we have a press that is both free and fair.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): In answer to the point made by my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), surely the question here is not that further issues should not be settled, such as those that have been raised, but how one should go about it. An open-ended continuation of this inquiry will not necessarily resolve those issues but could travel into all sorts of areas, which would take time. Will the Secretary of State commit to dealing with all these issues raised in a more effective way, rather than just opening a further point in the inquiry? That is the point.

Matt Hancock: Yes, and my right hon. Friend has pre-empted what I was about to say, which is that the choice is not between doing something and doing nothing, but between doing something and doing something better. New clause 18 calls on us to go into a backward-looking inquiry when what we need to do is ensure that we allow the press to rise to the challenges we face today.

Paul Farrelly (Newcastle-under-Lyme) (Lab): I thank the Secretary of State for giving way, not least in view of what I am going to say. Is the truth not that he has broken promises to the victims, ignored the opinions of Sir Brian Leveson and ridden roughshod over the cross-party, unanimous opinion of the Digital, Culture, Media and Sport Committee? Much has happened since Leveson 1, and one thing that Leveson 2 could establish is who told...
Sir Brian the truth and nothing but the truth the first time round. Why is the Secretary of State afraid of establishing the truth?

**Matt Hancock:** I want to focus on the challenges we face now. That is my job as Secretary of State, and it is my judgment as to what the proposals I have put forward do, and do in a better way than re-establishing the inquiry.

2.15 pm

**Mr Jacob Rees-Mogg** (North East Somerset) (Con): Has this not been decided in the jewel of our legal system—that is to say, in front of a jury? Some people accused of things that would have been part of Leveson 2 have been acquitted, and a very few have been convicted, but once someone has been tried in front of a jury, it is fundamentally unfair, unjust and a question of double jeopardy if they are then brought before another tribunal and put once more on oath to repeat evidence that they have given before and then been acquitted for. It would be against British justice to proceed in that way.

**Matt Hancock:** The police inquiries and the prosecutions that followed were exhaustive, so much so that in 2015, the Director of Public Prosecutions said that the end had been reached of the need to inquire further into those criminal acts. Of course, the criminal acts were punished, and people were convicted and went to prison.

Crucially, the arrival of the internet has fundamentally changed the landscape. That was not addressed at the core of the first Leveson inquiry, but it must be addressed. Later this month we will publish our internet safety strategy, as I mentioned, in which we will set out the action we need to take to ensure that the online world is better policed. Many colleagues have raised with me huge concerns about online abuse and the inability to get redress. That is a significant challenge for the future, and we must address it.

However, the internet has also fundamentally undermined the business model of our printed press. Today's core challenge is how to ensure a sustainable future for high-quality journalism that can hold the powerful to account. The rise of clickbait, disinformation and fake news is putting our whole democratic discourse at risk. This is an urgent problem that is shaking the foundations of democracies worldwide. Liberal democracies such as Britain cannot survive without the fourth estate, and we would have justice further undermines the press, and we would have to address some of the grievances and outcomes by way of a review. Doing so specifically in relation to Northern Ireland was in effect precluded by the first part of Mr Leveson's inquiry. Will the Secretary of State tell us how he will try to resolve this problem in Northern Ireland?

**Ian Paisley** (North Antrim) (DUP): The Secretary of State has made the very interesting point that he will try to address some of the grievances and outcomes by way of a review. Doing so specifically in relation to Northern Ireland was in effect precluded by the first part of Mr Leveson's inquiry. Will the Secretary of State tell us how he will try to resolve this problem in Northern Ireland?

**Matt Hancock:** Through new clause 23, as I have mentioned, we will require the Information Commissioner to conduct a statutory review of media compliance with the new law over the next four years. Alongside that review, we propose to have a named person review the standards of the press in Northern Ireland, and we will take that forward as part of and alongside new clause 23.

**Ian Paisley:** I thank the Secretary of State for his generosity. Would it be fair for me to characterise that review as a Leveson for Northern Ireland?

**Matt Hancock:** I think the representations from the press themselves show that they are not looking for help of that sort. Let us, however, look at the public: there is not a great public cry for this. In response to the consultation, 79% of direct responses favoured the full repeal of section 40. It is my job to address what we face now and the needs of the country now.

**Andy Slaughter** (Hammersmith) (Lab): The Secretary of State has talked about victims of abuse, but he seems to have forgotten that Leveson was set up because of the victims of press harassment and abuse in the first place. Many of those victims have written to Members on both sides of the House, rejecting the ridiculous IPSO scheme and asking for part 2 of Leveson to proceed. He has heard concerns from Members on both sides of the House today, so why will he not think again? What has changed his mind about those victims over the last three or four years?

**Matt Hancock:** In the period in which people have raised concerns and said that they must be looked into in Leveson 2, every one that has been raised with me was covered in Leveson 1. Leveson 1 was exhaustive, and there were then police investigations, which went further. My judgment is about what is right now, and the challenges the press face now are fundamentally different.

**Christine Jardine** (Edinburgh West) (LD): Does the Secretary of State accept that many of the challenges that the press face now are the result of the behaviour that led to Leveson 1 and undermined public confidence? The fact that the victims are not perceived as having had justice further undermines the press, and we would be helping the future of the press in this country if we continued along the lines of Leveson 2 and looked at how best to implement the recommendations of Leveson 1.

**Matt Hancock:** I think the representations from the press themselves show that they are not looking for help of that sort. Let us, however, look at the public: there is not a great public cry for this. In response to the consultation, 79% of direct responses favoured the full repeal of section 40. It is my job to address what we face now and the needs of the country now.
behaviour is reasonable, and yet that it is not subject to statutory regulation. I want to see a press that is both free and fair.

Edward Miliband (Doncaster North) (Lab): This is an extraordinary way to make policy. Will the Secretary of State explain to us why there can be a Leveson for Northern Ireland, but not for the rest of the United Kingdom?

Matt Hancock: I have explained that new clause 23, which I hope the right hon. Gentleman supports, will in the future bring in a review of behaviour following the new system that we are putting into place. That is true here, and it is true right across the country.

Ian C. Lucas: May I bring the Secretary of State back to the United Kingdom and to Manchester last year? The Kerslake review said:

“The panel was shocked and dismayed by the accounts of the families of their experiences with some of the media.”

That happened last year, so the Secretary of State should not represent the threats posed by press misbehaviour as being from the past; this is a real and pressing problem now. Will he keep his promise to the victims who have suffered from this in the past and are continuing to suffer from it?

Matt Hancock: New clause 23 is for the whole of the UK, which includes Northern Ireland. On the hon. Gentleman’s broader point, I have read the Kerslake review, and we asked to see all the evidence that fed into it, but we have not received specific allegations. The crucial point is that the low-cost IPSO arbitration is precisely to make sure that everybody has access to justice and that the press improves the way in which it behaves so that it is both free and fair, and that is what we want to achieve.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The Secretary of State may not be aware of this, but my daughter, aged seven, was spoken to and recorded by a journalist in 2016. The incident, which was in our own garden, traumatised her greatly, as has been stated by her school and by her doctor, but it was ignored by IPSO. Will he meet me and my daughter to explain how children like her will be protected by his amendments and what he is trying to do, because she has no faith in the system?

Matt Hancock: Yes, I absolutely will. This is the sort of thing that I am trying to put right. It is about making sure that the system is right now: rather than going over the past—there is an enormous amount of evidence of what happened in the past—this is about making sure that we look to the future.

The hon. Member for North Antrim (Ian Paisley) mentioned Northern Ireland and the review I have committed to in Northern Ireland will take place at the same time as the review under new clause 23 for the UK that is before the House.

Tom Watson (West Bromwich East) (Lab): Further to the point made by the hon. Member for North Antrim (Ian Paisley) about the special review for Northern Ireland, may I ask the Secretary of State in reference to the Hurst case—the former Army intelligence officer whose computers were hacked by newspaper journalists working for newspapers in England about his activities protecting our state in Northern Ireland—whether his review will also examine such criminal activity?

Matt Hancock: If there are allegations of criminal activity—the hon. Gentleman has just made such an allegation—then that is a matter for the courts.

Tom Watson: A newspaper group has admitted liability for criminally hacking the computers of a former Army intelligence officer.

Matt Hancock: In a way, the hon. Gentleman has summed up my case. My case is that we want a press that is free and that is fair. Statutes already exist to ensure that, when there are cases of wrongdoing, people can be brought to account through the courts. That already exists, and we now also have a system of compulsory, low-cost arbitration to make sure everybody can get recourse.

I am focused on ensuring that we have high-quality political discourse and a press that can survive and thrive, with high-quality journalists who can hold the powerful to account, and on ensuring that we face the challenges of today rather than those of yesterday. That is what we want to work towards, and new clauses 18, 20 and 21 would make it harder to find solutions to today’s real problems.

Ian Paisley: The Secretary of State will correct me if I am wrong, but new clause 23, to which he has referred at the Dispatch Box, looks at cases going forward; it is not retrospective—I hope I am correct. Therefore, it addresses some of the deficiencies in the other new clauses before the House about having just a consultation process on what has happened previously.

Matt Hancock: New clause 23 is about ensuring that in the future there is a review of activity from now onwards, and alongside it we will ensure that there is a named person to ensure that the issues in Northern Ireland are looked into properly.

Overall, I want to ensure that the law that applies to the press is applied fairly, and that we have a free press and one that is responsible. I therefore oppose new clauses 18, 20 and 21, which would make that more difficult, not easier, and I urge every Member of the House to do the same.

Liam Byrne: I rise to support in particular new clause 18, in the name of my right hon. Friend the Member for Doncaster North (Edward Miliband), and indeed our new clause 20 and the consequential amendments.

The background to this is fairly well rehearsed, but it is worth remembering the level of shock we all felt when the revelations about phone hacking first became public. It is worth remembering the shock we felt when we heard that Milly Dowler’s phone had been hacked. It does not often happen in this House that Members on both sides unite to try to construct a shared way forward through an extremely difficult problem, yet that is exactly what we managed to do with the Leveson inquiry.
That was very difficult, but it was always going to be a game of two halves. There were too many cases coming to court at the time; there was too much evidence still under wraps; and there was too much that had to be left in the dark. As the Father of the House so rightly pointed out, it was never a question of opening a new inquiry; this is about letting the existing inquiry actually finish its work.

When the previous Prime Minister, Mr Cameron, having spoken to victims, made a statement, the point he wanted to impress on Members on both sides of the House was the need for Leveson to finish the job:

“One of the things that the victims have been most concerned about is that part 2 of the investigation should go ahead—because of the concerns about that first police investigation and about improper relationships between journalists and police officers. It is right that it should go ahead, and that is fully our intention.”—[Official Report, 29 November 2012; Vol. 554, c. 458.]

The then Prime Minister was not speaking simply on his own behalf; he was speaking on behalf of Government Members, including members of today’s Government Front Bench such as the Chief Whip, the right hon. Member for Skipton and Ripon (Julian Smith), who wrote not too long ago to one of his constituents:

“The Government has been clear all along that the status quo is not an option and I, personally, am determined to see Lord Justice Leveson’s principles implemented.”

Where has that commitment gone this afternoon?

2.30 pm

**Paul Farrelly:** May I add another voice? There is no journalist more respected on these shores than Sir Harold Evans, the former editor of *The Sunday Times*. He wrote to everybody today in support of the previous Government’s promises:

“Whatever your party, I and many of my associates, look to you to honour that commitment. To renge would be an affront to every citizen who suffered intrusion, but also the many independently-minded journalists of talent and integrity.”

Is it not time today for fair and independently minded MPs to vote as Sir Harry advises?

**Liam Byrne:** My hon. Friend makes an excellent point. What strengthens his argument is the way in which the Secretary of State has sought to bring forward one argument after another, all of which have been knocked down.

When we were first told that Leveson 2 could not proceed, we were told that there had been a day, sometime in about 2010, when magically, all of a sudden, all the abuse that we had ever heard about before categorically, unequivocally and without doubt ceased. We were all quite surprised about that. We were even more surprised, therefore, when John Ford presented his evidence to the Digital, Culture, Media and Sport Committee on 13 March. It is worth setting out what Mr Ford said, because not everyone luxuriates in membership of that Committee:

“I illegally accessed phone accounts, bank accounts, credit cards, and other personal data of public figures... My targets included politicians of all parties. In most cases, this was done without any legitimate public interest justification.”

Mr Ford goes on to reflect on whether the practice had magically ended, as the Secretary of State asserted, or whether it was ongoing. He was asked directly to reflect on the Secretary of State’s assertion that it was all over—nothing more to see; time to walk on by. Mr Ford writes in his letter:

“I am sorry to inform you that Mr Hancock is totally wrong”.

Who can imagine such a thing? He goes on to say that “having spent 15 years in the business, it is no surprise... that I still know people in the illegal data theft industry, and specifically,”—this is the nub of the argument—“that I know individuals who are still engaged in these activities on behalf of newspapers.”

The idea that magically this bad behaviour suddenly stopped and is not ongoing is argument one that has been knocked down.

**Peter Heaton-Jones** (North Devon) (Con): As reprehensible as those activities are, the fundamental point is that they are criminal acts. They are against the law. The right hon. Gentleman is wrong to conflate that point with the question of press regulation. Those are criminal acts to be dealt with by the courts.

**Liam Byrne:** Actually, it is not wrong to conflate press regulation with these matters, because the purpose of press regulation, in case the hon. Gentleman has not spotted it, is to try to stop such offences happening again. That is how public policy tends to be made in this country.

**Ian C. Lucas:** Is it not extremely relevant that one of the main aims of Leveson 2 was to investigate the relationship between the police and the press, because the police are the people who look into illegal acts and there has been evidence in the past of corruption involving the exchange of information between the police and the press, some of which has affected how Government Members have been presented? Independent-minded Members of the House should be looking into that, not suppressing it. Is it not right that that is looked into?

**Liam Byrne:** My hon. Friend is precisely right. We heard a couple of different arguments from the Secretary of State this afternoon, but they boil down to this: “Inquiries are expensive and time consuming, and officials have a lot of better work to do, unless you live in Northern Ireland, in which case we will crack on with the job now.”

**Hannah Bardell** (Livingston) (SNP): Are not culture and criminality very closely linked in these matters and the changes proposed by Opposition Members fair and proportionate? I was disappointed to hear the Secretary of State’s very loose sense of history—of what is more recent and what is in the past. The families of Kirsty Maxwell and Julie Pearson, two of my constituents who were both killed abroad, were harassed by the press. In the case of Kirsty Maxwell, a particular tabloid harassed the family to the detriment of other good and decent journalists, because the family were too scared to speak to the press. Any fair-minded and decent journalist will support these changes.

**Liam Byrne:** That point is well put by the hon. Lady. If there is one ambition that we share in this House, it should be not only for a free press, but for a clean press. The idea that there is nothing to see and that we should all walk on by has collapsed.
Simon Hoare (North Dorset) (Con): I am following what the right hon. Gentleman is saying with great interest. I think he is saying that he appreciates that a lot of the activities that he is talking about are illegal, but that they have still been done by journalists and others. Where I am not joining the dots, as he clearly is, is on why Leveson 2, were it to reopen, would make journalists and others more cognisant of those things that are already illegal and change their behaviours.

Liam Byrne: For a very simple reason: we have evidence that bad behaviour is still ongoing. When the Secretary of State originally decided to cancel Leveson 2, he said that the bad behaviour was in the past. Actually, the evidence is that it is ongoing. What is more, there was much evidence that could not be considered by Lord Leveson because of the court cases that were ongoing. Crucially, that evidence included allegations of collusion between the press and the police. I would have thought that we should scrutinise that to bits in this House, not just walk on by.

Simon Hoare: It is obviously me; I still do not get why the reopening of Leveson—

Kevin Brennan (Cardiff West) (Lab): It is not a reopening.

Simon Hoare: Sorry, the reconvening. I do not get why the reconvening of Leveson would make things that are currently illegal any more illegal than they already are. The courts and the prosecution services have the power to bring those cases when illegality takes place. We do not need Leveson 2 to achieve that, surely.

Liam Byrne: The point of inquiries is to get to the nub of the truth. There was much that the first half of the Leveson inquiry could not consider because of the courts cases that were ongoing. As a Member of this House, I want to know whether the press regulation system that we are setting up takes account of what we have learned about the sins of the past. I do not think that those sins should be buried and forgotten, and that we should walk on by—unless, of course, people are lucky enough to live in Northern Ireland.

Ian Paisley: I know that the right hon. Gentleman thinks that people in Northern Ireland can be treated with the back of his hand with comments like that, but I should make it clear that the Northern Ireland press were exempt from proper scrutiny by Leveson. That is why people feel aggrieved. Many Members whose phones were hacked, like myself, were completely ignored by Leveson. That was not enough to satisfy the Secretary of State, however. In a letter to Conservative Members—I did not receive a copy—he and those in his party who want phase 2 of Leveson, if we want to call it that, think they will learn that they have not learned and could not learn from the court cases and all the evidence that is already in the open. Is there not enough evidence for us to make the necessary changes, without going through the interminable process of reopening it up? Is there some specific area of the criminal law he does not understand that Lord Leveson may be able to explain to him?

Liam Byrne: What I want to learn is the truth. I want to learn the truth about police-press collusion and I want to know how we improve our press regulation in the future, so that we have not just a free press but a clean press.

Let me make some progress. The Secretary of State offered us a second line of argument that has now collapsed. I am not quite sure of the exact words he used when he came to the House, but most of us walked away thinking that Lord Leveson was pretty content that the whole thing was going to be shuttered. The House can therefore imagine our surprise when Sir Brian Leveson said that he “fundamentally disagreed” with the Government’s decision to end part two of the inquiry. When Lord Leveson said that he wanted the terms to be revised, he meant that he wanted them to be expanded, not cancelled all together. The Secretary of State says that malpractice is in the past and that there is nothing more to see, officials are busy, inquiries are expensive and so we must move on. He intimated that Lord Leveson agreed with him when that was not in fact the case.

A third line of attack from the Secretary of State was that the review looked to the past and ignored the challenges for the press in the future. That was a legitimate challenge and if he studies carefully the words of the amendment tabled by my hon. Friend the Member for West Bromwich East (Tom Watson), he will see that there is a new ambition to get into some of the challenges around fake news that were looked at by Brian Leveson. That was not enough to satisfy the Secretary of State, however. In a letter to Conservative Members—I did not receive a copy—he offered some more objections, each one of which we can knock down.

The Secretary of State, in his letter to his colleagues, says that the first half of Leveson was “full and broad” when in fact it was partial and incomplete. He says that newspaper margins are under pressure, as if economic hardship is now some sort of defence against the full glare of justice. He says that the effect of the proposals will be “chilling”, when he knows that our fine broadcasters in this country operate under far more rigorous regulation than newspapers and that does not stop them pursuing the most extraordinarily brilliant investigations. He says that Sir Joe Pilling has “cleared” the IPSO scheme, but Joe Pilling was appointed by IPSO and IPSO itself says...
it does not comply with Leveson. He says that IPSO now has a low-cost arbitration scheme, but as the hon. Member for Wellingborough (Mr Bone) pointed out, MailOnline, Newsquest and Archant are all outside it, so it is not a universal scheme in the way the Secretary of State has tried to present it to the House this afternoon.

The final line of argument is that officials are very busy and inquiries are very expensive, and we should therefore just walk on by. I just do not think that that is good enough.

**Matt Hancock rose—**

**Liam Byrne:** I am happy to hear from the Secretary of State why he thinks I am wrong.

**Matt Hancock:** The right hon. Gentleman is not making much progress. He is implying that broadcasters are under regulation but there is no chilling effect. The description of a chilling effect, raised by my hon. Friend the Member for Croydon South (Chris Philp), is the expected impact of section 40, under which anybody would be able to take a newspaper to court and get costs awarded against the newspaper even if they did not have anything in their case. The broadcasters do not have to deal with anything like that. On the point about things being brought to light, will he confirm that the case of Mr Ford, which he raised and was raised in an argument for Leveson 2, was in fact raised in the original Leveson inquiry and was therefore covered?

**Liam Byrne:** Mr Ford’s activity was, but not Mr Ford’s allegations that the activity is already under way.

Let me come on to the point the Secretary of State made about the future of press regulation. The scheme he voted for—it was elegantly designed, I think, by the right hon. Member for Croydon South (Chris Philp)—was a good scheme. There have been a couple of important objections to it made by many of our constituents, but more importantly by many journalists in our local media. The first objection is that a royal charter is somehow tantamount to a state authorised, state-operated regulator, which will somehow impede free speech. Royal charters have for centuries been the basis by which we have given stature to universities and learning societies like the Royal Society. None of them confront restrictions on free speech in any way whatever. That argument, frankly, is fanciful.

**Mrs Main:** On a point of clarification, does the right hon. Gentleman know of any other scenario within the civil courts where the costs have to be paid regardless?

**Liam Byrne:** The point is that this was well debated at the time and the argument presented by those on the Treasury Bench was that there was no point in setting up a new regulator and then doing nothing to create incentives to join that regulator. That was the proposal the Secretary of State voted for the first time around.

**Joanna Cherry:** I was not in the House at the time, so correct me if I am wrong. Am I right in thinking that Brian Leveson recommended that incentivisation to encourage the publishers to sign up to an independent regulator?

**Liam Byrne:** Absolutely. It was a very delicate job. The structure put in place was designed to minimise any dangers to free speech but create incentives for the press to move to a scheme that gave low-cost arbitration and access to justice for victims. That is at the core of this debate.

I want to conclude with two points. The first is, I suppose, a plea to the House. If we have learned one thing from the scandals of the past 10 to 12 years—whether the expenses scandal, Hillsborough or Orgreave—it is that it is never the right thing to look at a scandal and decide that it is too expensive or that we are too busy to get to the bottom of what happened. That is the core of the argument to let Brian Leveson finish his job.

I want to give the last word to the father of Madeleine McCann. When Gerry McCann found out that the Government were proposing to scrap the second half of the Levenson inquiry, he said:

“This Government has abandoned its commitments to the victims of press abuse to satisfy the corporate interests of large newspaper groups... This Government has lost all integrity when it comes to policy affecting the press.”

I hope that we can reflect on those harsh words this afternoon and rescue the integrity that is currently endangered by the Government’s determination to sweep aside the lessons of history.

**Several hon. Members rose—**

**Madam Deputy Speaker (Dame Rosie Winterton):** Order. Before I call the next speaker, I remind colleagues that this debate has to end at four o’clock and I know a lot of people want to speak.

**Mr John Whittingdale (Maldon) (Con):** Thank you, Madam Deputy Speaker. I will take heed of your reminder about the time limit.

It is now over 10 years since the Culture, Media and Sport Committee, of which I was Chair at the time, first conducted an inquiry into phone hacking. We conducted several subsequent inquiries, which helped to bring out the truth about the extent of phone hacking and other illegal practices. Without the work of the Committee, those would not have been revealed, although I pay tribute to The Guardian’s brilliant piece of investigative journalism. A lot of this debate concerns investigative journalism.

I think all of us were shocked by the revelation of phone hacking and we were determined that action should be taken to prevent anything like that happening again. In the 10 years that have passed, however, a lot has changed. The News of the World closed down as a result of the revelations. There were prosecutions, with 10 journalists convicted for illegal practices, although it is worth bearing in mind that 57 were cleared.

Obviously, we had the Leveson inquiry. Even if it did not complete all that it originally wanted to complete because of the ongoing criminal cases, it still took over a year and cost £49 million. It produced a swathe of recommendations, although the royal charter was not one of them. My right hon. Friend the Member for
West Dorset (Sir Oliver Letwin) had the brainchild of the royal charter and, accompanying that, sanctions in the Crime and Courts Act 2013 for newspapers that did not sign up to a regulator recognised under the royal charter.

Since that time, two major changes have taken place. When the royal charter was designed and the recognition panel was established, I do not think anybody in Parliament ever expected that not a single newspaper—certainly no national newspaper and virtually no local newspaper—would be willing to sign up to a regulator that applied for recognition under the royal charter. It was not just the usual whipping boys; the News International papers, the Daily Mail, the Daily Mirror. The Financial Times, The Guardian, The Independent and all the local newspapers refused. I have met the publications that have agreed to join IMPRESS, but they are micro-publishers. No major publisher was willing to go along with the royal charter. We originally invented the idea of sanctions with the view that one newspaper, or perhaps two, might stand out against the rest. We never intended to bring in a sanction that would punish, in what seems an incredibly unjust way, every single publisher. Their refusal to join is on a matter of principle, and we have to respect that.

What did happen was that they created a new regulator called IPSO, which has steadily evolved. To begin with, it was deficient in some ways. I had talks with IPSO and pointed out to it the areas where I felt that it needed to make changes, particularly through the introduction of an arbitration scheme, which was one of the key requirements under Leveson and which did not exist. However, IPSO has now made a lot of changes, including, as my right hon. Friend pointed out, the inclusion of an arbitration scheme, which is compulsory for members who sign up to it. Those that are outside it are the local newspapers, against which virtually no complaint has ever been made, and which face the greatest peril from the economic situation that exists for newspapers.

Paul Farrelly: The Select Committee, of which the right hon. Gentleman was a wonderful Chair, recently recommended unanimously, cross-party, the partial commencement of section 40 to give those publications protections—to protect investigative journalism—if they joined the approved regulator. That was one of the options in the consultation. What is wrong with that course?

Mr Whittingdale: The hon. Gentleman is an old friend—we sat together on the Committee for 10 years—and I have some sympathy with what he says. When I talked to the publications that had joined IMPRESS, they said that one reason they had done so was the possible protection offered if they were part of a recognised regulator, in that they would not have to pay costs even if they lost. That is a separate matter, but in this debate we are talking about the introduction of an amendment to provide not the carrot, but the stick—the punishment for newspapers that do not wish to sign up to a Government-approved regulator.

Mr Bone: Does my right hon. Friend think, deep in his heart, that anything has changed since IPSO was introduced?

Mr Whittingdale: Deep in my heart, yes I do. As I was about to say, I believe that there is a different climate. Of course, it does not mean that no newspaper ever does something that is a cause for complaint or invades people’s private lives—I have suffered at the hands of the press, but that is the price we pay in this place. However, I believe that the imposition of sanctions of the type that are proposed under the amendments would be deeply damaging to a free press.

In terms of what has changed, I challenge those who criticise IPSO to say where it now fails to meet the requirements under the royal charter. I have been through the royal charter, and there are perhaps three tiny sections where we could say that the wording of the IPSO codes is not precisely in line with the royal charter, but those are incredibly minor. They make no substantial difference whatever. IPSO has not applied for recognition under the royal charter, not because it does not comply, but because there is an objection in principle on the part of every single newspaper to a Government-imposed system, which this represents.

Peter Heaton-Jones: The fundamentally worrying thing is that this seeks to make a connection between local media organisations having to join the state regulator and their facing, if they do not, the awful costs that they might have to pay even if they win a court case. The right hon. Member for Birmingham, Hodge Hill (Liam Byrne) described that as an incentive, but it is not—it is coercion. It is only an incentive inasmuch as a condemned man on the gallows has an incentive not to stand on the trapdoor.

Mr Whittingdale: Of course, I agree entirely with my hon. Friend, and I am glad that he focused on local newspapers, because I referred to two changes. The first is the establishment of IPSO, which I believe in all serious respects is now compliant with what Lord Leveson wanted. The second is the complete change in the media landscape that has taken place in the last 10 years.

My right hon. Friend the Secretary of State mentioned the number of local newspapers that have gone out of business. We are seeing more continue to do so. There is likely to be further consolidation within the newspaper industry and the economics are steadily moving against newspapers. That is a real threat to democracy, because newspapers employ journalists who cover proceedings in courts, council chambers and, indeed, in this place. The big media giants who now have the power and influence—Google, Facebook and Twitter—do not employ a single journalist, so my right hon. Friend is absolutely right to have established the examination into the funding and future of the press. It is about looking forward, and that is where the House should be concentrating its efforts. It should not be looking backwards and going over again the events of more than 10 years ago; the world has changed almost beyond recognition.

Damian Collins (Folkestone and Hythe) (Con): My Digital, Culture, Media and Sport Committee colleague, the hon. Member for Newcastle-under-Lyme (Paul Farrelly)—I call him my hon. Friend—raised the recommendations of the Committee last year. One was that for IPSO to be considered compliant in any way with the spirit of Leveson, it should have a compulsory industry-funded arbitration scheme. While IPSO might not be perfect, does my right hon. Friend the Member...
for Maldon (Mr Whittingdale) agree that this is one of the most significant areas where IPSO has responded to pressure to try to make itself more compliant?

Mr Whittingdale: I agree very much with my hon. Friend. Indeed, I would have found it far harder to make the argument that IPSO was basically now compliant with Lord Leveson had it not introduced the scheme that is now in place. That was the biggest difference between the system as designed by my right hon. Friend and the Member for West Dorset in the royal charter and IPSO, and that, as my hon. Friend the Member for Folkestone and Hythe (Damian Collins) said, has rightly been removed.

What we do in this debate is being watched around the world. This country is seen as a bastion of freedom and liberty, and a free press is an absolutely essential component of that. I say to those who are proposing these amendments: do not just listen to the newspaper industry, which is, as I say, united against this—that includes The Guardian, despite the efforts of Labour Front Benchers to somehow exclude them. Listen to the Index on Censorship, Reporters Without Borders, the Committee to Protect Journalists—campaigning organisations that are fighting oppression of the press around the world. They say that if this House brings in this kind of measure, it would send a terrible signal to those who believe in a free press. I therefore hope that the amendments will be rejected.

Edward Miliband: I shall speak in support of new clause 18, which stands in my name and that of the right hon. and learned Member for Rushcliffe (Mr Clarke) and four Members from four other parties across the House. I have tabled the new clause for one overriding reason: to keep a promise that everyone in this House made to the victims of phone hacking and other unlawful conduct.

I well remember the day when I, David Cameron and Nick Clegg went to meet the victims—the McCanns, the Dowlers and all the others. You know what we said to them? We said, “This time it will be different. This time we won’t flinch. We promise you we’ll see this process through.” Painstakingly, with the victims, we designed a two-part Leveson process—let us be under no illusions about that. The first part was to look at the general issues around the culture and ethics of the press and the relationship with politicians, and the second part, promised back then, was to look, after the criminal trials were over, at, in the words of Sir Brian, who did what to whom and why it happened. Who covered it up? Did the police? Did politicians? Did other public servants?

3 pm

Leveson was to be a two-part process, and here is what David Cameron said, when part 1 of Leveson was completed in November 2012:

“One of the things that the victims have been most concerned about is that part 2 of the investigation should go ahead…It is right that it should go ahead, and that is fully our intention.”—[Official Report, 29 November 2012; Vol. 554, c. 458.]

No ifs, no buts, no maybes—a clear promise to victims of the press. And here we come today, and we have the Government saying, “Let’s dump this promise. It’s too expensive—it’s a distraction.” How dare they? How dare they say that to the McCanns, the Dowlers and all the other victims? How can we be here? I say to Members across the House, in whatever party, that this is about our honour—this is a matter of honour, of a promise we made.

Mr Rees-Mogg: The right hon. Gentleman mentions what David Cameron, Nick Clegg and he did. It seems to have escaped his attention that David Cameron is no longer Prime Minister, that Nick Clegg is no longer Deputy Prime Minister, and that two former MPs and one still-existing MP cannot bind their successors. A new Parliament has the right to consider these matters afresh, and that is what is rightly being done today after countless police investigations and prosecutions, many of which ended in acquittal.

Edward Miliband: I give way to the hon. Gentleman’s constitutional knowledge, but I do not give way to him on morality—and this is a question of morality and of promises we made. Remember the furore about all these events? Remember how people looked at us? Remember how all of us—Labour Governments too—were too close to the press, and how we said we would learn lessons? I take my responsibility too. We should have acted earlier. All Governments should take responsibility. To break this promise would be contemptible.

Anna Soubry: The right hon. Gentleman. Gentleman is making a powerful case, and he is right about morality and the promises made, most importantly, to victims. I am struggling to support him, however, because while those are powerful arguments, I am actually more interested in the outcome. Is there a genuine purpose that can be achieved other than—and it is a strong argument—keeping a promise to victims? It will be a hollow promise if it is nothing more than a talking shop.

Edward Miliband: Other people have asked, “Why can’t the police just do it?” That suggests that whenever there is a police inquiry there cannot be a public inquiry. My answer is this: there is no substitute for the breadth of a public inquiry and its ability to see what happened. A lot has emerged even since Leveson 1. At that time, people said the hacking and improper behaviour were just at the News of the World. There have now been revelations at The Sun, allegations about The Sunday Times and a decade of blagging by John Ford—a whole range of allegations that we need to get to the bottom of. Crucially, we need to learn lessons for the future. The useful thing that can come out of this is to prevent there being future victims like the McCanns and the Dowlers. That is why so many victims have written to the Prime Minister, saying it is important to get to the truth—not just for them but to prevent it from ever happening again.

Ian Paisley: The right hon. Gentleman is making a very compelling argument—one that I am not turned off by—but when I read new clause 18 dispassionately, I see that it offers me a consultation process with parties in Northern Ireland and an Assembly that is not functioning. It offers me very little, although it promises me something. In new clause 23, the Government from the Dispatch Box today have offered me an actual inquiry. I ask him, then, to put himself in my shoes: should we take what we have or a promise of what we might get?
Edward Miliband: If the new clause was agreed today, the Secretary of State would within three months have to trigger an inquiry covering Northern Ireland. The point about consultation is precisely to consult with Members of the Assembly, Ministers, if they are in place, and those in Scotland as well. That is simply a point about consultation. I know the hon. Gentleman cares passionately about these issues.

I believe that the case is stronger, not weaker, than it was when a two-part inquiry was envisaged. Sir Brian says we should go ahead. When else do we put a presiding judge in charge of an inquiry and then ignore his advice? Frankly, it is extraordinary. As I said to the right hon. Member for Broxtowe (Anna Soubry), the wrongdoing turned out to be more widespread than we thought. I urge hon. Members, in the time left before the vote, to look at the Kerslake report on what happened in Manchester, because it is a shocking indictment of what a minority—I emphasise that it is a minority—besmirching the good name of the whole press—did. I quote from it briefly:

“One mother, who was herself seriously injured as was her daughter, spoke of the press ringing her on her mobile whilst she was recovering in hospital... The child of one family was given condolences on the doorstep before official notification of the death of her mother.”

This is what some of the relatives of the victims said:

“By far the worst thing was the press”,

“They...are a disgrace, they don’t take no for an answer, they have a lack of standards and ethics,”

“The press were not respectful of grief.”

It is all very well people saying, “Everything’s changed”, but to my mind, I’m afraid, that report is proof that not enough has changed, because the same intrusion into the lives of innocent people is carrying on.

Mr Bone: I remember David Cameron, as I do the right hon. Gentleman, on this subject. It was one of David Cameron’s best moments. I have not yet heard an argument from Members of the Assembly, Ministers, if they are in place, why they thought. I return now to the very pertinent question from the hon. Member for Wellingborough. I set out the reasons in relation to the press, I think that it is worth spending a few years ago? Lastly, there is the argument about the press. The NUJ says it is not an attack on press freedom!

Edward Miliband: That is a very good point, and I will come to it in a moment, because it is important to answer it.

I want to make another point about the case for carrying on with Leveson 2. I do not believe, I am afraid, that the regulator we have, IPSO, is nearly good enough. It is said that local papers will be affected, but we have specifically written the terms of reference to exclude local papers, so that there can be no question of their being affected. It is said that this is all backward-looking, but in any other area of public life, would the press really be saying that the truth is time-limited, and that we do not need to get to the truth because it was all a few years ago? Lastly, there is the argument about cost, which I think is a terrible argument. Leveson I cost £5 million. That is a substantial sum, but I have to say that, given decades of abuse and broken promises in relation to the press, I think that it is worth spending such a sum to get to the truth.

Now I will answer the question asked by the hon. Member for Wellingborough. I set out the reasons adduced by the press and, indeed, the Government for the cancellation of this inquiry, but let us be absolutely honest: there is one overriding reason for the Government’s decision to abandon it, and that needs to be discussed. It is quite simple. It is fear: fear about the wrath of the press. That is why the Government have made this decision. The press do not want the inquiry to go ahead, and the Government fear attacks on them by the press. That is why the last Labour Government did not take action against the press: they too feared the consequences. But what did we also say after 2011? We said, “Never again will we succumb to fear and make the wrong decisions, which are not in the public interest.”

Fear of the powerful is not a good reason to allow them to trample on the powerless when we have it in our hands to do something about it. It goes against everything that we promised in 2011. It goes against everything that we said to the victims and everything that we told the public. We should remember the words of the current Prime Minister—the current Prime Minister—who said on the steps of Downing Street:

“When we take the big calls, we’ll think not of the powerful, but you.”

I say, “Think of the public, not the powerful, today.” There is still a chance that this time it will be different. We can learn the lessons of failed reform and no change. We can keep our promises to the victims and make change happen, and the way to do that is by voting for new clause 18.

Mr Kenneth Clarke: I rise to support new clause 18, and I shall try to do so as briefly as possible as we are running out of time. I have also put my name to amendment 14, which I hope the hon. Member for
Sunderland Central (Julie Elliott) will press to a Division if she catches your eye, Madam Deputy Speaker. However, new clause 18 and Leveson 2 are my main concern because, as the then Justice Secretary, I was personally involved in setting up the Leveson inquiry.

I have the highest regard for Sir Brian Leveson, and I share his indignation that the House is going back on previous commitments about the completion of that inquiry, Sir Brian is now the president of the Queen’s Bench division. He is the head of criminal justice in this country. He does not think that his inquiry completed its work or inquired into all the matters into which it was supposed to be inquiring. He said in his public letter that he “fundamentally” disagreed with the proposal to cancel the inquiry now and prevent it from going any further. I share his views, and I do not think that the House should lightly set them aside.

It was always clear when the inquiry was established that there would have to be a second part. In his statement when the inquiry was first announced, the then Prime Minister said:

“The second part of the inquiry will examine the extent of unlawful or improper conduct at the News of the World and other newspapers, and the way in which management failures may have allowed it to happen. That part of the inquiry will also look into the original police investigation and the issue of corrupt payments to police officers, and will consider the implications for the relationships between newspapers and the police.”—[Official Report, 13 July 2011; Vol. 531, c. 312.]

Those are the things that we are saying that we perhaps do not want to inquire into any further, for what seem to me—with great respect to my right hon. Friend the Secretary of State, who made a valiant effort to put forward the case on behalf of the Government—to be quite inadequate reasons.

When the first part of Leveson was completed, the then Government recommitted to holding the second part. I cannot recall anyone in the House objecting to the idea that we were waiting for the inquiry to be completed once the police inquiries were over. On 29 November 2012, the then Prime Minister said:

“When I set up the inquiry, I also said that there would be a second part to investigate wrongdoing in the press and the police, including the conduct of the first police investigation. That second stage cannot go ahead until the current criminal proceedings have concluded, but we remain committed to the inquiry as it was first established.”

That was the commitment of the Government of which I was a member, of which my right hon. Friend was a member, and of which half the present Government were members. No one objected to that in the House. Indeed, I think that my right hon. Friend took pride in rebutting what was eloquently described by the right hon. Member for Doncaster North (Edward Miliband) as the fear—the craven fear—that most Governments have felt of Her Majesty’s press during much of the time that I have been in Parliament.

3.15 pm

When the Prime Minister announced that there was to be a second inquiry, he quoted Lord Leveson as saying:

“over the last 30-35 years and probably much longer, the political parties of UK national Government and of UK official Opposition, have had or developed too close a relationship with the press in a way which has not been in the public interest.”—[Official Report, 29 November 2012; Vol. 554, c. 446.]

He rejected that, and I do not think the House should put aside that rejection too lightly.

In the present mad climate of political debate, I think that quite a lot of people—for one reason or another, as has always been the case in politics—are currying favour with the proprietors and editors of newspapers, or are fearful of those proprietors and editors. It is difficult to deny that that may have played a part in the sudden decision that we do not want to know any more about matters such as relationships between the police and the press.

Mr Bone: Will my right hon. and learned Friend give way?

Mr Clarke: I do not want to take too long, but I will give way.

Mr Bone: What my right hon. and learned Friend has said was the crux of David Cameron’s point. Political parties have got too close to the press. The only reason I can see for abandoning Leveson 2 would be if that had stopped. Does my right hon. and learned Friend think that it has stopped?

Mr Clarke: I fear that my hon. Friend is probably right, although I should give some credit to my right hon. and hon. Friends in government. I would like to give them the benefit of the doubt, but my suspicions are as strong as those of my hon. Friend.

Paul Farrelly: The Government also asked the public what they thought. When they announced the results of the consultation, it quickly became clear that the Secretary of State had set aside two petitions signed by more than 200,000 people who were in favour of Leveson 2, but counted 62,000 pro forma newspaper coupons that were against it, just because they had been returned in envelopes. Does the right hon. and learned Gentleman think that that is a rather odd way in which to judge the outcome of a consultation, and perhaps a little biased?

Mr Clarke: I personally will give my right hon. and hon. Friends the benefit of the doubt—I am sure that every representation was considered extremely carefully—but, in the end, it is for the House to decide what goes on.

The first argument that seems to be raised is about the lapse of time and the fact that we are talking about such a long time ago—2012, 2011—that we cannot spend public money on reopening former issues. It has already been said that quite a lot has happened since then. At the time of Leveson 1, I do not think that anyone knew that The Sun was involved in hacking. I do not think that anyone realised that Trinity Mirror was as mired in criminality as News International, and that it had gone in for hacking. They have tried to cover up the details since then by settling every civil claim that it has gone in for. The Manchester bombing is a plain and obvious example. Victims of tragic occasions such as terrorist outrages still find, far too often, that their gardens fill with photographers. Weeping relatives find
[Mr Kenneth Clarke]

that their doors are being knocked on so that they can be asked for comment. They are interviewed when they are plainly still badly shaken up, and probably not yet able to cope with the pressures.

I think that quite a lot has happened, but it has taken some time. It is not actually that long, in my aged recollection, since 2012. This consideration has never been applied to any other public inquiry, and we have lots of public inquiries. When trying to refute the moves against them, the press go back to 1961 in order to attack Mr Mosley and resurrect his activities as a student—they were fairly startling—with his notorious father.

The sexual offences inquiry—a very important inquiry—is making very slow progress. It is inquiring into allegations against public figures now dead, going back for decades. In any other context, shock would be expressed about a scandal of the scale we had in the case of the behaviour of the press. To say, “Oh, that’s too late now; it’s all gone by and we do not wish to know any more about it,” would be greeted with outrage and treated as a ridiculous argument, and I really do not think that we should accept it.

The Independent Press Standards Organisation is a big improvement on what we had before, but it is plainly not an independent regulator. If we had a group of people with the authority of those involved in part one of the Leveson inquiry recommending a new independent regulator, no other public body—none of the utilities, for instance—would be allowed to turn around and say, “We refuse to comply. We will be regulated, but only by a regulator whom we appoint and can change at any stage.” That would be dismissed.

The Government can address all the unworthy suspicions we have that their decision is motivated by a combination of fear and desire to curry favour. They should recover their courage and let the process go ahead, and we will see whether the press really have anything much to fear. I do not think that legitimate journalism and the very many honest journalists have anything to fear. As has been said—I am sure this is true in the House of Commons—everybody in public life in this country thinks that a free and fearless press is a key part of our liberties, and it is a joke to start presenting any moves to investigate as a threat to the freedom of the press.

The final argument that has been used against the proposal is that as the press are under great commercial pressures and face lots of challenges, we should not allow this to go ahead. I cannot think of any other body of organisations of such public importance that could claim, “We are under a bit of pressure, and there is a lot of competition; it is worse than it was a few years ago.” We should certainly tackle the digital market. I think it is quite obvious that Facebook and others are publishers. We should get away from the fiction that they are not publishers, and they should be subject to the same regulation as publishers, but that is another issue.

I supported Leveson when it was set up and I believe it should be completed. Leveson should not be cancelled. There are probably policemen still serving who are hoping that their corrupt relationship with the media will not be investigated further because they have got away with it so far. There are probably journalists still working—editors, even, still in post—who knew perfectly well that they were acting illegally in sourcing private information about public figures not just in politics, but in sport and theatre—anybody who achieves B-list celebrity status in this country. It is still the case that nothing sells newspapers like celebrity sex and scandal—no doubt long may that continue—but we must have a look at the ethical standards that should be applied to every possible sort of story.

This is not just about the law; it is also about ethics. We want more respect for our free press, and a proper Leveson 2 could eventually lead to that being achieved.

Julie Elliott (Sunderland Central) (Lab): It is a real pleasure to follow the right hon. and learned Member for Rushcliffe (Mr Clarke) and my right hon. Friend the Member for Doncaster North (Edward Miliband), with whom I agree entirely on Leveson 2. I shall address my remarks to amendment 14, which stands in my name and those of colleagues.

First, let us consider the situation now. We have two self-regulatory bodies for the British press and news publishers: IPSO and IMPRESS. These regulators each have standards codes that apply to their members in the news publishing industry. One of the standards codes is listed in the Bill. The Government are happy to give publishers following that code a qualified exemption from the laws that apply to most other professions and industries. Those publishers are, in short, more free to process people’s personal data. That is right, and it allows for, and supports, investigative journalism in the public interest. The other code is not in the Bill, and publishers following that code are less free to process personal data, to conduct investigations and to hold the powerful to account.

People might be surprised to learn which regulator has that statutory recognition. It is not IMPRESS, the new regulator that meets all the requirements of the royal charter on press regulation in the way that this Parliament hoped for after Leveson. The regulator to which the Government are giving these privileges is IPSO, the regulator that has set its face against Parliament and will have nothing to do with statutes or charters.

The cross-party amendment 14 has been tabled in the spirit of the consensus in the House five years ago. It simply says that there must be fair and equal rights for members of IMPRESS. As the first and only regulator approved under the framework that Parliament supported, IMPRESS has worked hard to meet the standards that Leveson set. It has an independently appointed board. It wrote its own code, after extensive public consultation, and it receives funding from a charity, the Independent Press Regulation Trust. IPSO’s arrangements have been subject to no such scrutiny.

IMPRESS is open to the world. Its funding arrangements, appointments, code and regulatory scheme have been published and pored over. In October 2016, the Press Recognition Panel, an arm’s length public body established by royal charter, confirmed that IMPRESS does indeed meet the Leveson standards. That decision was challenged in the courts by the News Media Association, and every single objection that it made was thrown out. That was not widely reported, because most national newspapers choose only to publish bad news, smears and innuendoes about IMPRESS. I believe that the Government have been influenced by those news reports and have chosen to adopt a non-co-operation attitude to IMPRESS.
Chris Philp: Will the hon. Lady give way?

Julie Elliott: No; there is not enough time.

It is because of the Government’s intransigence that we are debating the amendment. I wish that we did not need to take up parliamentary time with this issue. I wish that the Government had dealt with it long before now. However, as the Secretary of State says, we are where we are: the odd situation in which IPSO, the regulator that turns its back on Parliament and the public, is listed in the Data Protection Bill, but IMPRESS, the regulator that is publicly accountable, is not. The Government have stonewalled every attempt by IMPRESS for inclusion in the list of journalism codes in schedule 2 or existing legislation since 2016. For a long time, they refused even to consider the issue. Last September, they finally accepted IMPRESS’s application. Since then, they have simply said that the issue is “under consideration”. I now ask the Government to give the case that has been made in this debate proper consideration. I will not press amendment 14 to a Division, but I would be grateful for a full response from the Minister.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I draw the House’s attention to my entry in the Register of Members’ Financial Interests. I want to make a few general comments, particularly on new clause 18, where the House faces a fine judgment on which way to proceed.

The arguments in favour of new clause 18 are strong. David Cameron promised what it proposes. I was in the Cabinet at the time and remember him making that promise and it was unequivocal, which is reflected in the new clause. Brian Leveson has confirmed his belief that another inquiry should go ahead. In the House of Lords, Lady Hollins set out persuasively the three reasons why the inquiry should proceed. There was also Lord Kerslake’s powerful testimony following the Manchester tragedy that lessons have still not been learned about press intrusion. While Lord Kerslake appears to have found a new role adjacent to the Labour Front-Bench team, he remains one of Britain’s most senior and distinguished former civil servants and his views cannot be idly dismissed. In addition, as has been alluded to by several Members, the victims affected by what we are trying to address today may find it, frankly, rather distasteful that a bunch of politicians appear to be rushing to ingratiate ourselves with the media for fear that they will persistently trawl through our dustbins.

3.30 pm

Those arguments seem to be valid reasons in support of new clause 18, but there are other points that have not yet been adequately weighed up by some of those who so eloquently proposed the new clause. We need to consider whether another all-singing, all-dancing inquiry, with the enormous public expense of teams of lawyers, will tell us much that we do not already know. We must also disaggregate issues affecting the police from those affecting the press. They are different things, and in some ways they are mutually contradictory.

First, the written media is already facing serious financial challenges, and I am not only talking about the national newspapers. My right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) made too light of that point. On the “Today” programme this morning, we heard from Marc Reeves, the editor of the Birmingham Mail. Sutton Coldfield used to have two excellent local newspapers. One of the vice-chairmen of the National Union of Journalists said that the majority of the local media far more than the national media, but they do not buy local newspapers. The Royal town of Sutton Coldfield lost its second newspaper some time ago, and the Royal Sutton Coldfield Observer, which is owned by Trinity Mirror, has been seriously cut. This week, the paper sees the departure of the distinguished, award-winning editor, Mr Gary Phelps, who has been in post for 16 years, and I genuinely fear for the paper’s future. The question is whether the media has learned its lessons, whether there is anything seriously new to be learned and whether yet further digging up of issues by the roots holds real public benefit.

Secondly, it is worth bearing in mind the importance to all citizens of the preservation of the right to a free press, and I do not think that the House has adequately reflected on that. In all the time that I have been involved in international development, in government and in opposition, I have learned that the key ingredient for development, good governance, stability and accountability is transparency. Last week, the House agreed that the overseas territories must accept open registers of ownership, and the information that was critical to convincing many of us came through British investigative journalism exposing corruption and dishonesty through the Panama and Paradise papers. Across the developing world, Britain has championed and strongly supported, with taxpayers’ money, the development of a free media, but it matters here in Britain, too. I think it was a US President who said that if he had to choose between democracy and a free press, he would go for the latter. I conclude that a disrespectful, raucous, cynical, irreverent, suspicious media is the ineluctable price that we pay for our freedoms and rights and also the way in which we hold the rich and the powerful to account.

There is a final point that cuts across new clause 18: a powerful press is all too often itself the way in which we hold the police to account. In Britain, we give the police great power and great trust. We also—unwisely in my view—leave them largely to police themselves. All too often it is the media that exposes police corruption, rather than the organs of the state, and there are numerous examples of that. We should remember the role of the media in exposing the truth behind the shooting of Jean Charles de Menezes, the appalling events at Hillsborough and the heartbreaking way in which the Lawrence family were treated by the police. The Times played a role in exposing the Rotherham child abuse scandal, and The Guardian revealed sexual predators in the police both in 2012 and more recently. Journalists and, indeed, Members of this House played a role in exposing the appalling police corruption in the fitting up of the Birmingham Six, an event which is still to achieve closure in Birmingham as the families strive to achieve justice through the ongoing coroner’s inquiry.

It is the role of the free media fearlessly to expose wrongdoing, and we would not be serving the interests of our constituents if, by our action today, we took steps that could diminish their ability to do that. Members of the House will make up their own minds on the new clause. This seems to be the nub of the issue, but it is a very fine judgment as to which way our votes should fall.
Christine Jardine: I rise to speak in support of new clause 18, which my friend the right hon. Member for Doncaster North (Edward Miliband) has so eloquently described. I would like to bring three words to the House’s attention: fairness, justice and honour. I say this not as a politician—although I hope that we would all hold those things in high regard—but because they were the things that originally attracted me to a career in journalism. That career involved challenging the establishment, questioning power and holding politicians, big business and powerful vested interests in the media to account. Standing here today, I do not believe that any good ethical journalist or publication in this country has anything to fear from revisiting the Leveson 2 inquiry. Indeed, I feel that they have much to gain.

The right hon. Member for Doncaster North talked about going with David Cameron and Nick Clegg to speak to the victims of hacking, and about the promise that was made to them. I respect the fact that this Parliament should not be held by promises made by another Parliament, but it would say a lot about this House if we were to hold to that promise. It would disappoint the public who are watching us today, hoping that we will live up to those standards of fairness, justice and honour, if we did not do so. That promise was about redressing the balance of power between the vested interests of the press and the ordinary public in this country. The ordinary public deserve the right of redress, and they deserve to have the confidence that everything has been done to safeguard their rights.

We have heard from the Secretary of State that time has moved on and that we live in a different culture, but the fact that we have moved on should not prevent us from learning the lessons of the past. If history teaches us nothing else, it teaches us that if we do not learn the lessons of the past, we will repeat our mistakes in the future. Today, we have an opportunity to ensure that we do not repeat the mistakes that led to the hacking of phones, to the intrusion into the lives of innocent members of the public and to the hounding of people who were already suffering, such as the family of Madeleine McCann.

More than that, this is an opportunity to reassure members of the public who, as we have heard time and again over the past few years, feel detached from politics. They feel that we have somehow let them down and that we are not listening to them, but this is an opportunity to tell them that we are listening and that we hear their outrage at the way in which members of the public have been treated by the press—not all the press, but certain elements of it. I also understand the pressures on the press, as a former journalist and the wife of a journalist. I lived through my late husband’s employer announcing redundancies five years in a row, every year at Christmas. That is the reality of life in the modern media, but that is an economic pressure. It is not a pressure brought about by any ethical standard. It is the modern reality of the changes in technology that the industry is learning to deal with.

The Secretary of State said that we had moved on and that the culture had changed, but I would like to remind him of the Kerslake inquiry, and of the behaviour in Manchester that we have heard about. Unfortunately, the truth is that there are unethical individuals in every walk of life and in every profession. However, every other profession in this country—dentistry, medicine, the law—has a regulatory body that is underpinned by statute and that holds its members to a standard. Why should newspapers be exempt? I say that not as somebody who wants any restriction on freedom of the press; I believe that the fourth estate is a fundamental pillar of a free and democratic society. But it also has to be answerable, because freedom of the press should not mean freedom to intrude, to harass or to manufacture stories about individuals; it should mean freedom to be responsible and to be held to account, by the law and by the politicians who make the law.

Friends, the victims of the hacking scandal will be watching today to see whether we live up to the promise that was made to them by the right hon. Member for Doncaster North, by David Cameron and by Nick Clegg. I appeal to Members, please do not find wanting.

Bill Wiggin (North Herefordshire) (Con): May I say what a sad day this is? I pay tribute to the Government Chief Whip, who has worked exceptionally hard to try to protect the Government, which is particularly difficult, given that in 2013, 530 MPs voted for section 40 and only 13 voted against it. That vote was for the Courts and Crime Act 2013, which enshrined in law the low-cost access to justice that Lord Justice Leveson had agreed was necessary. That was first suggested by Lord Justice Leveson and then agreed to almost unanimously by all parties in Parliament. However, it was never commenced. Successive Secretaries of State have refused to commence the cost-shifting provisions that are so necessary for access to justice.

Section 40 is not about punishing newspapers that do not sign up to IMPRESS; it is about ensuring low-cost access to justice for vulnerable victims of press abuse. The first part of the Leveson inquiry uncovered the horrific scale of abuse, which was endemic in the press, and there have been many court cases and convictions since. Section 40 ensures that publishers that are members of an independently approved regulator that provides low-cost arbitration do not face expensive court costs. It also ensures that victims of press abuse who have been attacked by publications that are not members of an independently approved regulator can access justice via the courts without having to be extremely wealthy.

There are myths about section 40. The first myth is that it would damage the freedom of the press. That is not true. The press recognition panel is independent and was created by royal charter. The charter enshrines press freedom in law. Criterion 8 states that any regulator “must take into account the importance of freedom of speech, the interests of the public... the need for journalists to protect confidential sources of information, and the rights of individuals.” Criterion 17 states that such a regulator’s board “should not have the power to prevent publication of any material, by anyone, or at any time”.

The only way to change the charter would be by a 66% super-majority in both Houses, plus the unanimous agreement of the press recognition panel’s board. This is not state regulation of the press, or even state regulation of the press regulators; it is the creation of an independent body that will apply Leveson’s criteria for a press regulator to potential self-funded press regulators.

The second myth is that it would threaten the existence of local newspapers. Again, that is not true. New clause 20 would protect all local newspapers that have a turnover of less than £100 million and exempt them from section...
40. Local newspapers were generally omitted from the criticisms of Leveson I, and they are rightly protected from costs shifting, which they might be unable to afford.

Mike Wood (Dudley South) (Con): Does my hon. Friend recognise that condition B would still leave 85% of local newspapers covered by the cost-shifting provisions, directly threatening their ability to conduct the investigative journalism that so many of them do so well?

Bill Wiggin: I am grateful to my hon. Friend for that intervention. What he is saying is that businesses with a turnover of over £100 million should be protected, which I think is probably not quite right.

Richard Drax (South Dorset) (Con): Does my hon. Friend find it odd that the lesser-off papers, as I think he phrased it, get away with some things and the better-off papers do not? Is that not discriminatory and completely against British justice?

3.45 pm

Bill Wiggin: No, it is not, because it is designed to ensure that victims gain access to justice. My hon. Friend will find the local papers that may come under section 40 are owned by large companies. The exemption is designed for the charitable sector, which I will come to in just a moment.

One myth is that *The Guardian* would not be covered. The *Daily Mail* claimed that *The Guardian* would be exempt from the section 40 provisions, which is not true. *The Guardian* would not be covered by condition A, which is necessary to protect the not-for-profit publications that cannot afford cost-shifting—that is the sector my hon. Friend is interested in protecting. *The Guardian* would be covered because it declares dividends to its members, so it would not be exempted as the *Daily Mail* suggested.

The next myth about section 40 is that newspapers would have to sign up to IMPRESS, which again is simply not true. The press are at liberty to create their own regulator, which would simply have to fulfil all 29 of Leveson’s criteria in order to become approved. Becoming approved does not require any sort of Government or political approval. It is entirely independent, and there is nothing to stop IPSO applying to become an approved regulator, except that it does not want to provide the low-cost access to justice that is so necessary. IPSO is a press protector, not a press regulator. I say that because it has introduced what it calls a compulsory low-cost arbitration scheme, but that is not right. IPSO’s scheme is voluntary, and the *Financial Times*, MailOnline and other newspapers not regulated by IPSO have not signed up. Newspapers may leave the scheme whenever they choose. Although I am delighted that IPSO has admitted that low-cost arbitration is necessary, to add to the express view of both Houses and the recommendation of Lord Leveson, this version of it is not right.

If we choose not to vote for section 40 today, we will once again be trusting the newspapers to reform themselves. They say we should trust them and that IPSO is reforming, coincidentally at exactly the same time as we vote on this important new clause. The newspapers have shown again and again that they cannot be trusted, and we must vote to ensure that all victims have access to low-cost justice, which is so necessary. Lord Leveson, both Houses of Parliament and, now, IPSO have all agreed this is necessary. Section 40 has been on the statute book for five years, and it is now time it was commenced.

Brendan O’Hara (Argyll and Bute) (SNP): Time is tight, so I will be brief. I rise to speak in support of new clause 18 because the Scottish National party has been clear throughout that all individuals should be able to seek redress when they feel they have been the victim of press malpractice. It benefits each and every one of us to have a media that is both transparent and accountable.

The Scottish National party is committed to ensuring that the practices that led to the Leveson inquiry never happen again. We have been equally clear, however, that if there is to be a second part of the Leveson inquiry, the distinct Scottish legal context must be taken into account and the Scottish Government must be consulted on the scope and scale of any future inquiry.

Both my hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) and I raised that on Second Reading and again in Committee, and we put on record our dismay at the wholly inappropriate, indeed lazy, amendments made in the other place that sought to impose a blanket, one-size-fits-all, Truro-to-Thurso policy without any cognisance of the devolution settlement or of the fact that matters of press regulation and criminal justice are wholly devolved to the Parliament in Holyrood. I do not think it unreasonable to expect the House of Lords to know that both criminal justice and press regulation, and all the associated issues of the culture, practice and ethics of the press, fall under devolved competence, and that any blanket UK-wide proposal could only negatively impact on devolution.

Scottish National party Members have said repeatedly that, as long as the Scottish Government are consulted and the Scottish legal system is taken into account, we would be happy to support a Leveson inquiry.

Liam Byrne: I am following the hon. Gentleman’s argument closely. He is right to say that we need to ensure the sins of the past are not repeated, which is why we need new clause 20. Can he confirm whether his party’s position is to support new clause 20 today or, as I have heard, to abstain on it?

Brendan O’Hara: The right hon. Gentleman may push that to the vote, but new clause 20 seeks to impose on Scotland a system of press regulation from Westminster, even though this is wholly devolved. I appreciate the work that he and others in Hacked Off have tried to do to square that circle, but it has not been squared. Therefore, we cannot support a system of press regulation that will be imposed from Westminster on Holyrood. That is why I am so pleased that new clause 18 is presented in such a way that it takes on board all of our concerns. I am extremely grateful for the efforts made by the right hon. Member for Doncaster North (Edward Miliband) in fashioning the new clause in a way that allows the second part of the Leveson inquiry to take place while recognising the devolution settlement and the distinct position in Scotland. I commend the passion with which he put across his argument this afternoon.
There will be some who will say that part 2 of Leveson is now out of date—indeed, the Secretary of State said as much when he announced his plans to scrap it. People are right to say that much has changed since 2011, which was before Brexit or the fake news agenda dominated the newspapers, but we need to ask ourselves how much has really changed since the height of the phone hacking scandal. The Government are convinced that a step change has taken place, but I question whether it really has. The Secretary of State has pointed out that the world has changed, but these concerns are as relevant now as they were then.

We have seen how social media is now part and parcel of everyday life. Surely the time is right, with this second part of Leveson, to investigate the role of social media companies—Facebook, Twitter and others—in spreading fake news and disinformation. I would like to think that this inquiry would look to build on the outstanding work being done by the hon. Member for Folkestone and Hythe (Damian Collins) and his Select Committee in pursuing fake news and the spread of disinformation.

On behalf of the Scottish National party, I am delighted to have added my name to new clause 18 because I believe any reasonable person would agree that the terms of reference for this part of the Leveson inquiry have not yet been met.

Mr Rees-Mogg: The freedom of the press is so overwhelmingly precious that we should preserve it even if sometimes the press upsets us. It is amazing how many people who have had run-ins with the press have suddenly found that they think it should be more tightly regulated. Fascinatingly, the Daily Mail carried out a survey of their lordships House and discovered that more than a third of those who voted to shackle the press had been embarrassed by the press. May I therefore pay all the greater tribute to my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) and his Select Committee in pursuing fake news and the spread of disinformation.

I am glad to have the opportunity to speak to the amendment. A man more cynical than I am might think that £540,000 donated to a certain political party might have had some influence on the desire to support IMPRESS—on the desire to support the creation of a known racist, a man who went on anti-Semitic rallies with his father. A party suffering from accusations of anti-Semitism wishes to be in bed with a man who gave it £540,000 to pursue his cause, which is to make IMPRESS the regulator of our free press, in the pocket of one of the most disreputable figures in this nation. IPSO has made leaps and bounds to ensure that it is a proper self-regulator. It is a self-regulator free from the taint of state approval, state authorisation and state regulation—just as IMPRESS is not.

Mr Rees-Mogg: The freedoms and liberties that we hold so dear should be preserved, even when they are inconvenient to us. The House may not have heard what my hon. Friend next to me just said. Baldwin’s line was that the press had the “prerogative of the harlot”—power without responsibility. That was his line, but I would rather have a free press in that condition than a Government-approved, propagandised press that took away all our ancient liberties. These new clauses must be wiped out and cut from the legislative book. We must preserve our freedoms.

Ian C. Lucas: This has been an excellent debate. I wish to tell the House about a victim of press intrusion. Twenty-one years ago, I represented the bodyguard who survived the crash that killed the Princess of Wales. I made it clear to the press at the time that neither he nor his family wished to be pressurised, followed or traced by journalists. They completely disregarded my advice and treated someone who was gravely ill, and his family, appallingly.

When I saw the statements in the Kerslake inquiry last year, I saw that, contrary to what the Secretary of State has said, the situation has not changed. Individuals who were the victims of grave crimes were abused, their privacy invaded and their lives turned around by press intrusion. That was after Sir Brian Leveson had conducted his inquiry, and after he, a greatly respected judge, had told the Government that he fundamentally disagreed with their decision not to proceed with the second part of the Leveson inquiry.

Earlier, I intervened on the Secretary of State and asked him why the Conservative party previously supported the terms of section 40 of the Crime and Courts Act 2013, which it now opposes. For all the eloquence we have heard, the position is that the Conservative party is breaking a promise that was made to victims of crime by a Prime Minister of this great country, the United...
Kingdom. Anyone who supports the Government today should be ashamed of themselves, because those victims of crime are the powerless who need protection from the powerful. The powerful are the people who are too close to those who have governmental power.

As my right hon. Friend the Member for Doncaster North (Edward Miliband) said, we know why this decision is being made—why the Conservative party is backing away from the promise made by a Conservative Prime Minister; it is frightened of the press and its influence. It is a shameful step that it is taking. I appeal to all individual and independent Members of this House to stand up for the powerless against the powerful and to support new clause 18. I implore the Secretary of State to be straightforward with the House.

Question agreed to.

New clause 19 accordingly read a Second time, and added to the Bill.

4 pm

Procedures interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Questions necessary for the disposal of business to be concluded at that time (Standing Order No. 83E).

New Clause 22

Review of processing of personal data for the purposes of journalism

“(1) The Commissioner must—

(a) review the extent to which the processing of personal data for the purposes of journalism complied with the data protection legislation during the review period,
(b) prepare a report of the review, and
(c) submit the report to the Secretary of State.

(2) “The review period” means the period of 4 years beginning with the day on which Chapter 2 of Part 2 of this Act comes into force.

(3) The Commissioner must—

(a) start the review within the period of 6 months beginning when the review period ends, and
(b) submit the report to the Secretary of State before the end of the period of 18 months beginning when the Commissioner started the review.

(4) The report must include consideration of the extent of compliance (as described in subsection (1)(a)) in each part of the United Kingdom.

(5) The Secretary of State must—

(a) lay the report before Parliament, and
(b) send a copy of the report to—

(i) the Scottish Ministers,
(ii) the Welsh Ministers, and
(iii) the Executive Office in Northern Ireland.”.—(Matt Hancock.)

This new clause would be inserted after Clause 172. It requires the Commissioner to carry out a review of, and report on, the extent to which the processing of personal data for the purposes of journalism complied with the data protection legislation during the first 4 years of its operation. The Secretary of State must lay the report before Parliament and send a copy of the report to the Scottish Ministers, the Welsh Ministers and the Executive Office in Northern Ireland (formerly the office of the First Minister and deputy First Minister in Northern Ireland).

Brought up, and added to the Bill.

New Clause 23

Data protection and journalism code

“(1) The Commissioner must prepare a code of practice which contains—

(a) practical guidance in relation to the processing of personal data for the purposes of journalism in accordance with the requirements of the data protection legislation, and
(b) such other guidance as the Commissioner considers appropriate to promote good practice in the processing of personal data for the purposes of journalism.

(2) Where a code under this section is in force, the Commissioner may prepare amendments of the code or a replacement code.

(3) Before preparing a code or amendments under this section, the Commissioner must consult such of the following as the Commissioner considers appropriate—

(a) trade associations;
(b) data subjects;
(c) persons who appear to the Commissioner to represent the interests of data subjects.

(4) A code under this section may include transitional provision or savings.

(5) In this section—

“good practice in the processing of personal data for the purposes of journalism” means such practice in the processing of personal data for those purposes as appears to the Commissioner to be desirable having regard to—

(a) the interests of data subjects and others, including compliance with the requirements of the data protection legislation, and
(b) the special importance of the public interest in the freedom of expression and information;

‘trade association’ includes a body representing controllers or processors.”.—(Matt Hancock.)

This new Clause would be inserted after Clause 123. It requires the Commissioner to prepare a code of practice giving guidance about the processing of personal data for the purposes of journalism. Clauses 124 to 126 (approval, publication and effect) would apply to the code (see amendments 146, 147, 148, 149 and 150).

Brought up, and added to the Bill.

New Clause 18

Data protection breaches by national news publishers

“(1) The Secretary of State must, within the period of three months beginning with the day on which this Act is passed, establish an inquiry under the Inquiries Act 2005 into allegations of data protection breaches committed by or on behalf of national news publishers and other media organisations.

(2) Before setting the terms of reference of and other arrangements for the inquiry the Secretary of State must—

(a) consult the Scottish Ministers with a view to ensuring, in particular, that the inquiry will consider the separate legal context and other circumstances of Scotland;
(b) consult Northern Ireland Ministers and members of the Northern Ireland Assembly with a view to ensuring, in particular, that the inquiry will consider the separate legal context and other circumstances of Northern Ireland;
(c) consult persons appearing to the Secretary of State to represent the interests of victims of data protection breaches committed by, on behalf of or in relation to, national news publishers and other media organisations; and
(d) consult persons appearing to the Secretary of State to represent the interests of news publishers and other media organisations (having regard in particular to organisations representing journalists).

(3) The terms of reference for the inquiry must include requirements—

(a) to inquire into the extent of unlawful or improper conduct by or on behalf of national news publishers and other organisations within the media in respect of personal data;
(b) to inquire into the extent of corporate governance and management failures and the role, if any, of politicians, public servants and others in relation to failures to investigate wrongdoing at media organisations within the scope of the inquiry;
(c) to review the protections and provisions around media coverage of individuals subject to police inquiries, including the policy and practice of naming suspects of crime prior to any relevant charge or conviction;
(d) to investigate the dissemination of information and news, including false news stories, by social media organisations using personal data;
(e) to consider the adequacy of the current regulatory arrangements and the resources, powers and approach of the Information Commissioner and any other relevant authorities in relation to—
   (i) the news publishing industry (except in relation to entities regulated by Ofcom) across all platforms and in the light of experience since 2012;
   (ii) social media companies;
(f) to make such recommendations as appear to the inquiry to be appropriate for the purpose of ensuring that the privacy rights of individuals are balanced with the right to freedom of expression.

(4) In setting the terms of reference for the inquiry the Secretary of State must—

(a) have regard to the current context of the news, publishing and general media industry;
(b) must set appropriate parameters for determining which allegations are to be considered;
(c) determine the meaning and scope of references to national news publishers and other media organisations for the purposes of the inquiry.

(5) Before complying with subsection (4) the Secretary of State must consult the judge or other person who is likely to be invited to chair the inquiry.

(6) The inquiry may, so far as it considers appropriate—

(a) consider evidence given to previous public inquiries; and
(b) take account of the findings of and evidence given to previous public inquiries (and the inquiry must consider using this power for the purpose of avoiding the waste of public resources).

(7) This section comes into force on Royal Assent.”. —(Edward Miliband.)

This new clause would require the establishment of an inquiry under the Inquiries Act 2005 as recommended by Lord Justice Leveson for Part two of his Inquiry.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 295, Noes 304.

Division No. 152] [4.1 pm

AYES

Abbott, rh Ms Diane
Abbott, Catherine
Allin-Khan, Dr Rosena
Amesbury, Mike
Baron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blomfield, Paul
Blunt, Crispin
Bone, Mr Peter
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
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummings, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piers, Gloria
Dent Coad, Emma
Dhesi, Mr Tanmanjeet 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
Ellman, Mrs Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lillian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Holliern, Kate
Hollobone, Mr Philip
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imam
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Alzaf
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley

Data Protection Bill [Lords] 9 MAY 2018 Data Protection Bill [Lords]
Tellers for the Ayes:

Afolami, Bim
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
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Boles, Nick
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Breer, Jack
Brookes, Andrew
Brine, Steve
Brokenbrow, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleaverly, James
Clifton-Brown, Sir Geoffrey
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
Djanyogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Donnies, Ms Nadine
Double, Steve

NOES

Dowden, Oliver
Dowley-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, rh David
Fabricant, Michael
Fallon, rh Sir Michael
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 Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Griffiths, Andrew
Grogan, John
Gyimah, Mr Sam
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
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
Hinds, rh Damian
Hoare, Simon
Hollingsbery, George
Hollinrake, Kevin
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Clause 124

**APPROVAL OF DATA-SHARING, DIRECT MARKETING AND AGE-APPROPRIATE DESIGN CODES**

**Amendments made:** 146, page 69, line 21, leave out “or 123” and insert “123 or (Data protection and journalism code)”. See the explanatory statement for NC23.

Amendment 147, page 69, line 32, leave out “or 123” and insert “123 or (Data protection and journalism code)”. See the explanatory statement for NC23.

Amendment 148, page 69, line 39, leave out “or 123” and insert “123 or (Data protection and journalism code)”. See the explanatory statement for NC23.

Clause 125

**PUBLICATION AND REVIEW OF DATA-SHARING, DIRECT MARKETING AND AGE-APPROPRIATE DESIGN CODES**

**Amendment made:** 150, page 70, line 18, leave out “or 123(2)” and insert “123 or (Data protection and journalism code)”. See the explanatory statement for NC23.

Clause 196

**GENERAL INTERPRETATION**

**Amendment made:** 145, page 115, line 42, at end insert—

“( ) section (Review of processing of personal data for the purposes of journalism)(2);”.—(Matt Hancock.)

This amendment provides that EU Regulation No. 1182/71 determining the rules applicable to periods, dates and time limits does not apply for the purposes of the 4 year period described in subsection (2) of NC22.

New Clause 13

**INFORMATION ORDERS**

‘(1) This section applies if, on an application by the Commissioner, a court is satisfied that a person has failed to comply with a requirement of an information notice.'
(2) The court may make an order requiring the person to provide to the Commissioner some or all of the following—
(a) information referred to in the information notice;
(b) other information which the court is satisfied the Commissioner requires, having regard to the statement included in the notice in accordance with section 141(2)(b).

(3) The order—
(a) may specify the form in which the information must be provided,
(b) must specify the time at which, or the period within which, the information must be provided, and
(c) may specify the place where the information must be provided.'—(Margot James.)

This new clause would be inserted after Clause 143. It provides that, where a person has failed to comply with an information notice (given under Clause 141), the Information Commissioner may seek a court order requiring the person to provide the information referred to in the notice or other information which the Commissioner requires for a reason specified in the notice. See also Amendments 57, 58 and 60.

Brought up, and read the First time.

The Minister for Digital and the Creative Industries (Margot James): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Mrs Eleanor Laing): With this it will be convenient to discuss the following:

Government new clause 14—Destroying or falsifying information and documents etc.

Government new clause 15—Applications in respect of urgent notices.

Government new clause 16—Post-review powers to make provision about representation of data subjects.

Government new clause 17—Reserve forces: data-sharing by HMRC.

New clause 3—Bill of Data Rights in the Digital Environment—

‘Schedule [Bill of Data Rights in the Digital Environment] shall have effect.’

This new clause would introduce a Schedule containing a Bill of Data Rights in the Digital Environment.

New clause 4—Bill of Data Rights in the Digital Environment (No. 2)—

‘(1) The Secretary of State shall, by regulations, establish a Bill of Data Rights in the Digital Environment.

(2) Before making regulations under this section, the Secretary of State shall—

(a) consult—

(i) the Commissioner,

(ii) trade associations,

(iii) data subjects, and

(iv) persons who appear to the Commissioner or the Secretary of State to represent the interests of data subjects; and

(b) publish a draft of the Bill of Data Rights.

(3) The Bill of Data Rights in the Digital Environment shall enshrine—

(a) a right for a data subject to have privacy from commercial or personal intrusion,

(b) a right for a data subject to own, curate, move, revise or review their identity as founded upon personal data (whether directly or as a result of processing of that data),

(c) a right for a data subject to have their access to their data profiles or personal data protected, and

(d) a right for a data subject to object to any decision made solely on automated decision-making, including a decision relating to education and employment of the data subject.

(4) Regulations under this section are subject to the affirmative resolution procedure.’

This new clause would empower the Secretary of State to introduce a Bill of Data Rights in the Digital Environment.

New clause 6—Targeted dissemination disclosure notice for third parties and others (No. 2)—

‘In Schedule 19B of the Political Parties, Elections and Referendums Act 2000 (Power to require disclosure), after paragraph 10 (documents in electronic form) insert—

10A (1) This paragraph applies to the following organisations and individuals—

(a) a recognised third party (within the meaning of Part 6);

(b) a permitted participant (within the meaning of Part 7);

(c) a regulated donee (within the meaning of Schedule 7);

(d) a regulated participant (within the meaning of Schedule 7A);

(e) a candidate at an election (other than a local government election in Scotland);

(f) the election agent for such a candidate;

(g) an organisation or individual formerly falling within any of paragraphs (a) to (f); or

(h) the treasurer, director, or another officer of an organisation to which this paragraph applies, or has been at any time in the period of five years ending with the day on which the notice is given.

(2) The Commission may under this paragraph issue at any time a targeted dissemination disclosure notice, requiring disclosure of any settings used to disseminate material which it believes were intended to have the effect, or were likely to have the effect, of influencing public opinion in any part of the United Kingdom, ahead of a specific election or referendum, where the platform for dissemination allows for targeting based on demographic or other information about individuals, including information gathered by information society services.

(3) This power shall not be available in respect of registered parties or their officers, save where they separately and independently fall into one or more of categories (a) to (h) of sub-paragraph (1).

(4) A person or organisation to whom such a targeted dissemination disclosure notice is given shall comply with it within such time as is specified in the notice.’

This new clause would amend the Political Parties, Elections and Referendums Act 2000 to allow the Electoral Commission to require disclosure of settings used to disseminate material where the platform for dissemination allows for targeting based on demographic or other information about individuals.

New clause 10—Automated decision-making concerning a child—

‘(1) Where a data controller expects to take a significant decision based solely on automated processing which may concern a child, the controller must, before such processing is undertaken—

(a) deposit a data protection impact assessment with the Commissioner, and

(b) consult the Commissioner (within the meaning of Article 36 of the GDPR), regardless of measures taken by the controller to mitigate any risk.

(2) Where, following prior consultation, the Commissioner does not choose to prevent processing on the basis of Article 58(2)(f) of the GDPR, the Commissioner must publish the part or parts of the data protection impact assessment provided under subsection (1), relevant to the reaching of that decision.'
(3) The Commissioner must produce and publish a list of safeguards to be applied by data controllers where any significant decision based solely on automated processing may concern a child.

(4) For the purposes of this section, the meaning of “child” is determined by the age of lawful processing under Article 8 of the GDPR and section 9 of this Act.’

New clause 11—Education: safe use of personal data—

‘(1) The Children and Social Work Act 2017 is amended as follows.

(2) In section 35 (other personal, social, health and economic education), after subsection (1)(b) insert—

‘(1A) In this section, “personal, social, health and economic education” shall include education relating to the safe use of personal data.’

This new clause would enable the Secretary of State to require that personal information safety be taught as a mandatory part of the national PSHE curriculum.

New clause 12—Health bodies: disclosure of personal data—

‘(1) In section 261 of the Health and Social Care Act 2012 (Health and Social Care Information Centre: dissemination of data—

(2) In section 35 (other personal, social, health and economic education), after subsection (1)(b) insert—

‘(1A) In this section, “personal, social, health and economic education” shall include education relating to the safe use of personal data.’

This new clause would enable the Secretary of State to require that personal information safety be taught as a mandatory part of the national PSHE curriculum.

New clause 12—Health bodies: disclosure of personal data—

‘(1) In section 261 of the Health and Social Care Act 2012 (Health and Social Care Information Centre: dissemination of information) after subsection (5) insert—

‘(5A) A disclosure of personal data may be made under subsection (5)(e) only if it is made—

(a) to and at the request of a member of a police force, and

(b) for the purpose of investigating a serious offence.

(5B) In subsection (5A)—

“personal data” has the meaning given by section 3 of the Data Protection Act 2018;

“police force” means—

(a) a police force within the meaning of section 101 of the Police Act 1996, and

(b) an equivalent force operating under the law of any Part of the United Kingdom or of another country; and

“serious offence” means—

(a) a serious offence within the meaning of Part 1 of Schedule 1 to the Serious Crime Act 2007, and

(b) an offence under the Offences Against the Person Act 1861, the Sexual Offences Act 2003, the Explosive Substances Act 1883, the Terrorism Act 2000 or the Terrorism Act 2006, and

(c) the equivalent of any of those offences under the law of any Part of the United Kingdom or of another country.'

(3) In section 14Z23 of the National Health Service Act 2006 (clinical commissioning groups: permitted disclosure of information) at the end insert—

‘(3) A disclosure of personal data may be made under subsection (1)(g) only if it is made—

(a) to and at the request of a member of a police force, and

(b) for the purpose of investigating a serious offence.

(4) In subsection (3)—

“personal data” has the meaning given by section 3 of the Data Protection Act 2018;

“police force” means—

(a) a police force within the meaning of section 101 of the Police Act 1996, and

(b) an equivalent force operating under the law of any Part of the United Kingdom or of another country; and

“serious offence” means—

(a) a serious offence within the meaning of Part 1 of Schedule 1 to the Serious Crime Act 2007, and

(b) an offence under the Offences Against the Person Act 1861, the Sexual Offences Act 2003, the Explosive Substances Act 1883, the Terrorism Act 2000 or the Terrorism Act 2006, and

(c) the equivalent of any of those offences under the law of any Part of the United Kingdom or of another country.'

(3) In section 79 of the Health and Social Care Act 2008 (Care Quality Commission: permitted disclosures) after subsection (3) insert—

‘(3A) A disclosure of personal data may be made under subsection (3)(g) only if it is made—

(a) to and at the request of a member of a police force, and

(b) for the purpose of investigating a serious offence.

(3B) In subsection (3A)—

“personal data” has the meaning given by section 3 of the Data Protection Act 2018;

“police force” means—

(a) a police force within the meaning of section 101 of the Police Act 1996, and

(b) an equivalent force operating under the law of any Part of the United Kingdom or of another country; and

“serious offence” means—

(a) a serious offence within the meaning of Part 1 of Schedule 1 to the Serious Crime Act 2007, and

(b) an offence under the Offences Against the Person Act 1861, the Sexual Offences Act 2003, the Explosive Substances Act 1883, the Terrorism Act 2000 or the Terrorism Act 2006, and

(c) the equivalent of any of those offences under the law of any Part of the United Kingdom or of another country.'

This new clause would prevent personal data held by the NHS from being disclosed for the purpose of the investigation of a criminal offence unless the offence concerned is serious, which is consistent with the NHS Code of Confidentiality and GMC guidance on confidentiality. It would also mean that any such disclosure could only be made to the police, and not, for example, to Home Office immigration enforcement officials.
New clause 24—Safeguards on the transfer of data for lethal force operations overseas—

'(1) A transferring controller may not make any transfer of personal data outside the United Kingdom under Part 4 of this Act where—

(a) the transferring controller knows, or should know, that the data will be used in an operation or activity that may involve the use of lethal force, and

(b) there is a real risk that the transfer would amount to a breach of domestic law or an internationally wrongful act under international law.

(2) Where the transferring controller determines that there is no real risk under subsection (1)(b), the transfer is not lawful unless—

(a) the transferring controller documents the determination, providing reasons, and

(b) the Secretary of State has approved the transfer in writing.

(3) Any documentation created under subsection (2) shall be provided to the Information Commissioner and the Investigatory Powers Commissioner within 90 days of the transfer.

(4) A “transferring controller” is a controller who makes a transfer of personal data outside the United Kingdom under Part 4 of this Act.

(5) For the purposes of subsection (1)(b),

(c) “domestic law” includes, but is not limited to,

(i) soliciting, encouraging, persuading or proposing a murder contrary to section 4 of the Offences Against the Person Act 1861,

(ii) conspiracy to commit murder contrary to section 1 or 1A of the Criminal Law Act 1977,

(iii) aiding, abetting, counselling, or procuring murder contrary to section 8 of the Accessories and Abettors Act 1861,

(iv) offences contrary to section 44, 45 and 46 of the Serious Crime Act 2007,

(v) offences under the International Criminal Court Act 2001,

(d) “International law” includes, but is not limited to, Article 16 of the 2001 Draft Articles on the Responsibility of States for Internationally Wrongful Acts.

(6) The Secretary of State must lay before Parliament, within six months of the coming into force of this Act, guidance for intelligence officers on subsections (1) and (2).

(7) The Secretary of State must lay before Parliament any subsequent changes made to the guidance reported under subsection (6) within 90 days of any changes being made.

Amendment 18, in clause 7, page 5, line 24, after “subsections” insert “(1A),”.

Government amendment 22.

Amendment 19, page 5, line 24, at end insert—

‘(1A) A primary care service provider is not a “public authority” or “public body” for the purposes of the GDPR merely by virtue of the fact that it is defined as a public authority by either—

(a) any of paragraphs 43A to 45A or paragraph 51 of Schedule 1 to the Freedom of Information Act 2000, or

(b) any of paragraphs 33 to 35 of Schedule 1 to the Freedom of Information (Scotland) Act 2002 (asp 13).’

Government amendments 23 and 24.

Amendment 4, in clause 10, page 6, line 37, leave out subsections (6) and (7).

This amendment would remove delegated powers that would allow the Secretary of State to vary the conditions and safeguards governing the general processing of sensitive personal data.

Amendment 5, in clause 14, page 8, line 11, at end insert—

‘(2A) A decision that engages an individual’s rights under the Human Rights Act 1998 does not fall within Article 22(2)(b) of the GDPR (exception from prohibition on taking significant decisions based solely on automated processing for decisions that are authorised by law and subject to safeguards for the data subject’s rights, freedoms and legitimate interests).

(2B) A decision is “based solely on automated processing” for the purposes of this section if, in relation to a data subject, there is no meaningful input by a natural person in the decision-making process.’

This amendment would ensure that where human rights are engaged by automated decisions these are human decisions and provides clarification that purely administrative human approval of an automated decision does make an automated decision a ‘human’ one.

Amendment 6, page 9, line 36, leave out clause 16.

This amendment would remove delegated powers that would allow the Secretary of State to add further exemptions.

Government amendment 143.

Amendment 7, in clause 35, page 22, line 14, leave out subsections (6) and (7).

This amendment would remove delegated powers that would allow the Secretary of State to vary the conditions and safeguards governing the general processing of sensitive personal data.

Amendment 151, in clause 49, page 30, line 19, at end insert—

‘(1A) A controller may not take a significant decision based solely on automated processing if that decision affects the rights of the data subject under the Human Rights Act 1998.’

Amendment 2, in clause 50, page 30, line 28, at end insert—‘and

(c) it does not engage the rights of the data subject under the Human Rights Act 1998.’

This amendment would ensure that automated decisions should not be authorised by law if they engage an individual’s human rights.

Amendment 8, in clause 86, page 51, line 21, leave out subsections (3) and (4).

This amendment would remove delegated powers that would allow the Secretary of State to vary the conditions and safeguards governing the general processing of sensitive personal data.

Amendment 3, in clause 96, page 56, line 38, after “law” insert—

‘unless the decision engages an individual’s rights under the Human Rights Act 1998.’

This amendment would ensure that automated decisions should not be authorised by law if they engage an individual’s human rights.

Amendment 9, page 63, line 27, leave out clause 113.

This amendment would remove delegated powers that would allow the Secretary of State to create new exemptions to Part 4 of the Bill.

Government amendments 25 to 37.

Amendment 20, in clause 144, page 81, line 11, leave out “7 days” and insert “24 hours”.

This amendment would reduce from 7 days to 24 hours the minimum period which must elapse before a controller or processor has to comply with an assessment notice which has been issued by the Commissioner and which the Commissioner has stated should be complied with urgently.

Government amendments 38 to 71.

Government new schedule 3—Transitional provision etc.

New schedule 1—Bill of Data Rights in the Digital Environment—
The UK recognises the following Data Rights:

**Article 1—Equality of Treatment**
Every data subject has the right to fair and equal treatment in the processing of his or her personal data.

**Article 2—Security**
Every data subject has the right to security and protection of their personal data and information systems.

**Article 3—Free Expression**
Every data subject has the right to deploy his or her personal data in pursuit of their fundamental rights to freedom of expression, thought and conscience.

**Article 4—Equality of Access**
Every data subject has the right to access and participate in the digital environment on equal terms.

**Internet access should be open.**

**Article 5—Privacy**
Every data subject has the right to respect for their personal data and information systems and as part of his or her fundamental right to private and family life, home and communications.

**Article 6—Ownership**
Every data subject has the right to own and control his or her personal data.

**Article 7—Control**
Every data subject is entitled to proportionate share of income or other benefit derived from his or her personal data as part of the right to own.

**Article 8—Algorithms**
Every data subject has the right to transparent and equal treatment in the processing of his or her personal data by an algorithm or automated system.

**Article 9—Participation**
Every data subject has the right to deploy his or her personal data and information systems to communicate in pursuit of the fundamental right to freedom of association.

**Article 10—Protection**
Every data subject has the right to safety and protection from harassment and other targeting through use of personal data whether sexual, social or commercial.

**Article 11—Removal**
Every data subject is entitled to revise and remove their personal data.

**Compensation**
Breach of any right in this Bill will entitle the data subject to fair and equitable compensation under existing enforcement provisions. If none apply, the Centre for Data Ethics will establish and administer a compensation scheme to ensure just remedy for any breaches.

**Application to Children**
The application of these rights to a person less than 18 years of age must be made in conjunction with the rights set out in the United Nations Convention on the Rights of the Child. Where an information society service processes data of persons less than 18 years of age it must do so under the age appropriate design code set out in section 123 of this Act.

The listed GDPR provisions do not apply to personal data that consists of information which is protected by legal professional privilege or the duty of confidentiality.

This amendment would ensure that both legal professional privilege and confidentiality are recognised within the legislation.

**Government amendments 139, 74 and 75.**

**Amendment 11, in schedule 11, page 196, line 39, leave out paragraph 9 and insert—**

‘19 The listed GDPR provisions do not apply to personal data that consists of information which is protected by legal professional privilege or the duty of confidentiality.

This amendment would ensure that both legal professional privilege and confidentiality are recognised within the legislation.

**Government amendments 140 and 76 to 80.**

**Amendment 21, in schedule 15, page 206, line 11, at end insert—**

‘(1A) A warrant issued under subparagraph (1)(b) or (1)(c) of this paragraph does not require any notice to be given to the controller or processor, or to the occupier of the premises.

This amendment would make it clear that a judge can issue a warrant to enter premises under subparagraphs 4(1)(b) or 4(1)(c) without the Commissioner having given prior notice to the data controller, data processor or occupier of premises.

**Government amendments 81 to 85.**

**Amendment 12, page 208, line 13, leave out “with respect to obligations, liabilities or rights under the data protection legislation”.**

This amendment would ensure that both legal professional privilege and confidentiality are recognised within the legislation.

**Amendment 13, page 208, line 21, leave out from “proceedings” to the end of line 23.**

This amendment would ensure that both legal professional privilege and confidentiality are recognised within the legislation.

**Government amendments 86 to 138.**

Margot James: I shall start by addressing the Government amendments—[Interruption.]

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Will people who are leaving the Chamber please do so quietly? The Minister is making an important speech and people want to hear it. It is just rude to make a noise—unless you happen to be in the Chair.

Margot James: I propose to start my remarks by addressing the Government amendments to strengthen the powers of the Information Commissioner.

The investigation of the Information Commissioner’s Office into Cambridge Analytica is unprecedented in its scale and complexity. It has, necessarily, pushed the
boundaries of what the drafters of the Data Protection Act 1998 and the parliamentarians who scrutinised it could have envisaged. Although we recognise that the Bill already expands and enhances the commissioner’s ability to enforce the requirements of the data protection legislation in such circumstances, the Government undertook to consider whether further provision was desirable in the light of the commissioner’s experience. Following extensive discussions with the commissioner and in Committee, we concluded that such provision is desirable. Our amendments will strengthen the commissioner’s ability to enforce the law, while ensuring that she operates within a clear and accountable structure. I will give a few examples.

First, amendments 27 and 28 will allow the commissioner to require any person who might have knowledge about suspected breaches of the data protection legislation to provide information. Previously, information could be sought only from a data controller or a data processor. That might be important where, for example, a former employee has information about the organisation’s processing activities.

Secondly, new clause 13 will allow the commissioner to apply to the court for an order to force compliance when a person fails to comply with a requirement to provide information. Organisations that might previously have been tempted to pay a fine for non-compliance instead of handing over the information will find themselves at risk of being in contempt of court if they do not comply.

Thirdly, amendments 30 and 45 will allow the commissioner to require controllers to comply with information or enforcement notices within 24 hours in some very urgent cases, rather than the seven days provided for in the existing law. Amendment 38 will allow the commissioner, in certain circumstances, to issue an assessment notice that can have immediate effect. Those amendments will allow the commissioner to obtain information about a suspected breach or put a stop to high-risk processing activities in a prompt and effective way. They will also allow her to carry out no-notice inspections without a warrant in certain circumstances.

Fourthly, new clause 14 will criminalise the behaviour of any person who seeks to frustrate an information or assessment notice by deliberately destroying, falsifying, blocking or concealing evidence that has been identified as relevant to the commissioner’s investigation.

Finally, we have taken this opportunity to modernise the commissioner’s powers. Storing files on an office server is rapidly becoming a thing of the past. Amendment 79 will enable the commissioner to apply for a warrant to access material that can be viewed via computers on the premises but that is held in the cloud.

When strengthening the commissioner’s enforcement powers, we have been mindful of the need to provide appropriate safeguards and remedies for those who find themselves under investigation. For example, when an information, assessment or enforcement notice containing an urgency statement is served on a person, new clause 15 will allow them to apply to the court to disapply the urgency statement. In effect, they will have a right to apply to the court to vary the timetable for compliance with the order. A court considering an application from the commissioner for an information order will be able to take into account all the relevant circumstances at the time, including whether an application has been brought by the person concerned under new clause 15 and whether the person has brought an appeal against the notice itself in the tribunal. These amendments have been developed in close liaison with the Information Commissioner. We are confident that they will give her the powers she needs to ensure that those who flout the law in our increasingly digital age are held to account for their actions.

I now turn to the representation of data subjects. I am very grateful to Baroness Kidron for her continued engagement on this subject. In particular, we agree that children merit special protection in relation to their personal data and that the review the Government will undertake shall look accordingly at the specific barriers young people and children face in enforcing their rights. Government new clause 16, as well as amendments 61, 62, 63, 70 and 75, ensures that they will.

Government new clause 17 concerns maintaining contact with ex-regular reserve forces. This will allow Her Majesty’s Revenue and Customs to share contact detail information with the Ministry of Defence to ensure that the MOD is better able to locate and contact members of the ex-regular reserve.

New clause 12, on data sharing by health bodies, is in the name of my hon. Friend the Member for Totnes (Dr Wollaston), who chairs the Health and Social Care Committee. I know she and the Committee have significant and legitimate concerns about the operation of the memorandum of understanding between NHS Digital and the Home Office, which currently allows the sharing of non-clinical information, principally address information, for immigration purposes. The Select Committee has argued for the suspension of the MOU pending the outcome of a review of its impact by Public Health England. New clause 12 seeks to adopt a more long-term approach by narrowing the ability of NHS Digital to disclose information in connection with the investigation of criminal offences. The aim is to narrow the MOU’s scope, so that it only facilitates the exchange of personal data in cases involving serious criminality.

The Government have reflected further on the concerns put forward by my hon. Friend and her Committee. As a result, and with immediate effect, the data sharing arrangements between the Home Office and the NHS have been amended. This is a new step and it supersedes the position set out in previous correspondence between the Home Office, the Department for Health and Social Care and the Select Committee.

I know my hon. Friend and her colleagues have been particularly exercised by the contents of a letter dated 23 February from both the above-mentioned Departments to her Select Committee, in which it is stated that “a person using the NHS can have a reasonable expectation when using this taxpayer-funded service that their non-medical data, which lies at the lower end of the privacy spectrum, will not be shared securely between other officers within government in exercise of their lawful powers”.

The bar for sharing data will now be set significantly higher. By sharing, I mean sharing between the Department of Health and Social Care, the Home Office and, in future, possibly other Departments. No longer will the names of overstayers and illegal entrants be sought against health service records to find current address details. The data sharing, relying on powers under the Health and Social Care Act 2012, the National Health
Margot James

Service Act 2006 and the Health and Social Care Act 2008, will only be used to trace an individual who is being considered for deportation action having been investigated for, or convicted of, a serious criminal offence that results in a minimum sentence of at least 12 months in prison.

The Government have a long-held policy on what level of serious criminality is deserving of deportation, given statutory force by the UK Borders Act 2007. When a custodial sentence of more than 12 months has been given, consideration for deportation must therefore follow. Henceforth, the Home Office will only be able to use the memorandum of understanding to trace an individual who is being considered for deportation action having been convicted of a serious criminal offence, or when their presence is considered non-conducive to the public good—for example, when they present a risk to public security but have yet to be convicted of a criminal offence.

4.30 pm

Alison Thewliss (Glasgow Central) (SNP): Can the Minister give me more reassurance about the Home Office and its activity in this regard? At the moment, I have constituents who, under paragraph 322(5) of the immigration rules, face being deported for making legitimate changes to their tax return through HMRC data being accessed. Will she reassure me about what the Home Office can do to make sure that this is not abused and misused for the purposes of meeting immigration targets?

Margot James: I will write to the hon. Lady and hope to give her reassurance. This new higher bar concerns NHS data and that would obviously not catch within it errors on a tax return.

As now, the memorandum of understanding would also continue to operate when there are concerns about the welfare and safety of a missing individual—for example, vulnerable children and adults. That has always been the case. Personal information will only be disclosed to the Home Office or agencies under the purview of the Home Office. This is a significant restriction on the Home Office’s ability to use data held by the NHS. It is estimated that the change will exclude over 90% of the requests that have been satisfied to date.

Sir Edward Davey: The Minister talks about a memorandum of understanding giving reassurance to the House. I refer her to part 2 of schedule 2, which talks about exemptions from the general data protection regulation in respect of crime and taxation. Surely, the rights of individuals to have their data protected under that provision would address all these issues, and it would potentially supersede the memorandum of understanding.

Margot James: I will come on to the exemptions in terms of criminal activity and immigration in a wider context than NHS information in due course.

My right hon. Friend the Minister for Immigration is committed to sending a copy of an updated MOU to the Health and Social Care Committee shortly, but as I have indicated, the significant narrowing of the MOU will have immediate effect. This commitment is consistent with the intention underpinning new clause 12. I trust that on that basis, my hon. Friend the Member for Toxteth and her colleagues will not press new clause 12. I am sure that if she has any questions, she will intervene on me, or that when she makes her remarks later, I might be invited to intervene on her. I thank my hon. Friend and all her Committee members for their work to establish higher principles in this area.

I turn to Opposition amendments 16 and 15 and Government amendments 141 and 142, on immigration. Amendment 15 would remove the provisions relating to effective immigration control in schedule 2. In responding to the amendment, I want to address some of the continued misunderstandings that have arisen around the purpose and scope of the provision, and I hope to persuade the House that this is a necessary and proportionate measure to protect the integrity of our immigration system. It has been suggested that the provisions have no basis in the GDPR, but article 23 expressly allows member states to restrict certain specified rights for the purpose of safeguarding “other important objectives of general public interest of a…Member State”.

The maintenance of effective immigration control is one such objective.

Sir Edward Davey: Will the Minister confirm that article 23 of the GDPR does not specify immigration?

Margot James: It does not rule out immigration and it does allow the restriction of certain specified rights—not wholesale restrictions—for the purpose of safeguarding “other important objectives of general public interest”.

The purpose is to provide a derogation for member states wide enough that they can pursue an overall Government policy in the general public interest. I would conclude that immigration is one such example. It has been suggested that the provisions represent a blanket carve-out of all a data subject’s rights. That is certainly not the case. I would like to reassure the right hon. Gentleman that we are being very selective about the rights that could be disappplied. The exemption will be applied only on a case-by-case basis and only where it is necessary and proportionate.

Liam Byrne: Has the Minister learnt nothing from the Windrush scandal? Here we have a Department of State that is not fantastic at keeping records. The idea of selectively carving out particular rights of particular people who need this information to fight tribunal cases strikes me as lunacy, given what we have learnt about the dysfunction at the Home Office.

Margot James: Perhaps if I continue my remarks, I can reassure the right hon. Gentleman that of course lessons have been learnt, not least by the Home Office itself, as both the former Home Secretary and the current Home Secretary have made abundantly clear to the House.

The exemption in the amendment is to be applied only on a case-by-case basis and only where it is necessary and proportionate. It cannot and will not be used to target any group of people. Nor does the application of the exemption set aside all a data subject’s rights; it sets aside only those expressly listed. A further limitation is that it can be applied only where compliance with the relevant rights would be likely to prejudice the maintenance of effective immigration control.
Liam Byrne: Effective safeguards for crime prevention are already written into the Bill, which gives the Minister the power she says she needs to fulfil the purpose she is setting out for the House. If we selectively discard rights for selected people, we come pretty close to arbitrary decision making, and it is practically impossible to do that consistently and in way make it defensible in a judicial review. These provisions will result in injustice and cases that the Home Office loses, so just dump them now!

Margot James: The right hon. Gentleman should know that different structures govern crime and immigration. I reiterate that we are dissolving these rights selectively—the data subjects will hang on to the majority of their rights—but it cannot be right for the Home Office to have to furnish someone who is in contravention of immigration law with information it has been given.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I am shocked by what the Minister is saying. These provisions were drafted before the Windrush scandal broke, and she is not learning the lessons at all. She says she wants these decisions made on an individual basis and in a way that is necessary and proportionate, but necessary and proportionate to achieve what? None of us knows what her definition of immigration control is. Does it mean meeting the net migration target, which is what we normally hear Ministers say? Necessary and proportionate to meet the net migration target could mean anything.

Margot James: I understand that it is a matter of interpretation. I also understand that the Home Office is considering these matters in the fallout from the Windrush case. I am sure that, as Chair of the Home Affairs Committee, the right hon. Lady will have ample opportunity to question the new Home Secretary on exactly what he might mean by “necessary and proportionate”. When someone is seeking access to data from the Home Office to prove their immigration history, such as in the Windrush cases, there will be no basis for invoking the immigration exemption in the Bill. I trust that that provides the right hon. Lady with some comfort.

Yvette Cooper rose—

Margot James: Apparently not.

Sir Edward Davey rose—

Margot James: I will give way for the last time to the right hon. Lady, if the right hon. Gentleman does not mind.

Yvette Cooper: That is not what the Bill says. That may be what the Minister intends, but if that is what she intends, she should change the Bill.

Margot James: I shall have to write to the right hon. Lady once I have communicated with Home Office Ministers. According to my understanding, the Bill says that the exemption applies—

Liam Byrne: On a point of order, Madam Deputy Speaker. We are being invited to pass an important piece of legislation which hands important new powers to Her Majesty’s Home Office, yet there is not a Home Office Minister on the Front Bench to respond to the points that we are making about the details of that legislation. What steps can we take to summon a Home Office Minister this afternoon, so that our questions can be answered?

Madam Deputy Speaker (Mrs Eleanor Laing): I understand the right hon. Gentleman’s point of order, but the fact is that the Minister, who is a very capable Minister, speaks for the Government, who are seamless. The Minister who is currently at the Dispatch Box is in a position to speak for all Ministers on this matter, which is why she has this responsibility and is responding to the questions that are currently being asked of her.

Margot James: Thank you, Madam Deputy Speaker. I might as well give way to the right hon. Member for Kingston and Surbiton (Sir Edward Davey) now.

Sir Edward Davey: I am grateful to the Minister. To help other Members consider amendment 15, let me point out that one of the data protection provisions that are being exempted for immigration purposes is the right to make subject access requests. It is critical to the rule of law for people and their representatives to know on the basis of what information the Home Office has made its decisions. The Bill provides no safeguards, no balance, and no restrictions to the use of that law by Home Office officials. As we heard from the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), those are simply not in the Bill. It is entirely wrong for the House to be asked to pass a Bill that does not contain real safeguards for the people involved, given what happened in the Windrush cases.

Margot James: I will continue to make some progress, as I feel that those points have already been made.

The application of the exemption does not set aside all data subjects’ rights, but only those expressly listed. A further limitation is that exemptions can be applied only where compliance with the relevant rights would be likely to prejudice the maintenance of effective immigration control.

Sir Edward Davey: What does that mean?

Margot James: It is an established term. It is used in the Immigration Act 2014 and the Freedom of Information Act 2000 uses a similar term, namely “operation of immigration controls”.

Mr Ranil Jayawardena (North East Hampshire) (Con): Without this immigration exemption, might not the Home Office have to disclose sources of tip-offs, which would not be conducive to ensuring that illegal immigration is properly controlled?

Margot James: I think it highly likely that if, for example, someone were to undertake a full data subject review of whatever information the Home Office held about them—as was posited earlier by the right hon. Member for Kingston and Surbiton—the review would contain sources of information as well as the information itself. A further limitation is that exemptions can be applied only where compliance with the relevant rights would be likely to prejudice the maintenance of immigration control. This “prejudice” test must be applied first, and
as a result the situations in which the exemption can be used are limited. The Government recognise the concerns that have been expressed in this debate.

4.45 pm

**Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Can the Minister give us a couple of examples to illustrate why these additional powers are necessary, and where the other powers in the Bill—in relation to criminal offences and investigations, for example—would not already suffice to do everything that the Home Office wishes?

**Margot James**: We are permitted under GDPR to make these exemptions and are doing so in a very selective way and on a case-by-case basis, so it will not result in a widespread denial of people’s data rights.

The exemption should be as limited as possible, which is why we have brought forward amendments 141 and 142. These amendments will ensure that migrants enjoy the rights afforded under all of the data protection principles, except where a restriction on those principles is a consequence of restricting one of the other rights coming within the scope of the exemption.

I now turn to Opposition amendments 18 and 19 on primary care providers, and Government amendments 22 to 24 on parish councils. Parish and community councils are not exempt from the new law. None the less, by describing parish and community councils as “public authorities” the Bill gives these councils additional obligations above and beyond those placed on other small organisations, including that they must appoint a data protection officer. We have been working to minimise the impact of this requirement, and have concluded that as parish and community councils process very little personal data, the burden they would face would be disproportionate. Amendments 22, 23 and 24 therefore take these councils out of the definition of “public authorities” for data protection purposes.

**Mr Jayawardena**: I commend my hon. Friend the Minister on amendment 24, which recognises that councils are often so tiny—indeed, some are not even parish councils, and some do not employ any staff—that it would be wholly disproportionate to treat them in the way originally intended. I commend the Minister for listening to so many Members who made these points and recognising that parish councils must be treated separately.

**Margot James**: Thank you, my hon. Friend. Friend for his comments. He and other colleagues across the House made these arguments, and given that such organisations are often very small and process only small amounts of personal data, we have decided to take parish councils out of the definition of “public authorities” for data protection purposes. Their status in respect of other legislation, including the Freedom of Information Act, is unaffected, however.

Similar arguments have been advanced in respect of primary care providers, but although I have sympathy with amendments 18 and 19, primary care providers are different from parish councils in that they process sizeable quantities of sensitive health data, whether that be an individual’s mental health status, the fact that they are pregnant, or details of their prescription for a terminal illness. All of these matters are highly personal, and in the world of health, data protection is rightly paramount.

The Dean Street Express case in 2015 illustrates the potential harm that even a single data breach can cause. In that incident, the names and email addresses of almost 800 people, many living with HIV, were disclosed to other recipients. It does not seem unreasonable that bodies who process that kind of data should have a single point of contact on data protection matters.

Government amendments 139 and 140 relate to legal professional privilege. We recognise the importance of protecting legal professional privilege and that is why in the Bill we have replicated the existing measures and exemptions for legal professional privilege found in the Data Protection Act 1998, which have worked well for many years.

Amendments 10 and 11 seek to widen the legal professional privilege exemptions found in schedules 2 and 11. They offer some thoughtful changes that are intended to recognise the broader range of material covered by a lawyer’s ethical duty of confidentiality. We agree that the Bill could be clearer, and have tabled amendments 139 and 140 in response.

**Sir Mike Penning** (Hemel Hempstead) (Con): It is interesting that we are making lots of exemptions for the Government, parish councils, lawyers and so on. I spoke to some lawyers this morning, and they were not convinced by the measures either. However, small businesses seem to be disproportionately affected, and there is real confusion out there. As I say, a lot of work has been done to protect the Government, parish councils and lawyers, but what about the little people—the people who make this country grow? There is even confusion in the Information Commissioner’s Office, which gave the wrong advice in briefings here to MPs’ staff only the other week. What are we going to do to protect the small people? They think that they are doing the right thing, but they have probably been ill advised. They are spending a lot of money trying to get things right, but there is real confusion out there.

**Margot James**: My right hon. Friend raises several important points. As for the effect on small businesses, he will be reassured to learn that the issues with the processing of highly personal data that I was discussing do not apply to the majority of SMEs. They will not have to appoint a data protection officer, so that is one comfort.

As for training and guidance, I am sorry that colleagues and their research staff attended courses that were put together before the Bill was even in Committee, and thus did not take numerous amendments into account—not least the amendment clarifying the rights of Members of Parliament and other elected individuals. I apologise for that confusion.

I draw businesses’ attention to the excellent ICO website, which contains good sources of guidance for SMEs, including frequently asked questions. The ICO also provides an advice line for any follow-up questions on subjects that businesses might not be clear about. Ultimately, there is a need for better data protection, and that is not just what is set out in the GDPR. Dreadful examples, such as the case of...
Facebook and Cambridge Analytica, have demonstrated the need for more rigorous data rights and for greater security of data.

Sir Mike Penning: The Minister is being ever so generous in giving way not just to me, but to Members from across the House, and I thank her. Returning to the parliamentary stuff—we are only a small part of all this—some of the staff present at the briefing I mentioned left in tears, and I know that for a fact, because a member of my staff was there. Believe it or not, even though the ICO knew that the briefing was completely flawed, it has today issued certificates of attendance saying that it was the right thing for staff to have done.

More important, however, are the SMEs. Small businesses have approached me today to tell me that they have been told to delete all their data unless they get permission from the relevant people. Companies that did work for people three, four or five years ago—even last year—must get permission to hold their addresses so that they can fulfill, for example, warranty agreements. Other companies are getting completely different advice, and the lawyers are getting different advice. There seems to be a rush to protect Government agencies, local government, parish councils and lawyers, but not enough is being done to protect the small people of this country—the people who account for so much of our money.

Margot James: I thank my right hon. Friend for his points. I want to reassure the small businesses that he mentions. I sympathise with businesses that are getting conflicting advice, and with those that are approached by firms of consultants who appear to be exaggerating the scale of the task of complying with the legislation. I am afraid that that always happens when there is change; people think that they can exaggerate the impact and the implications of a change and—who knows?—perhaps they will be remunerated for helping businesses to comply.

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More important, however, are the SMEs. Small businesses have approached me today to tell me that they have been told to delete all their data unless they get permission from the relevant people. Companies that did work for people three, four or five years ago—even last year—must get permission to hold their addresses so that they can fulfill, for example, warranty agreements. Other companies are getting completely different advice, and the lawyers are getting different advice. There seems to be a rush to protect Government agencies, local government, parish councils and lawyers, but not enough is being done to protect the small people of this country—the people who account for so much of our money.

Margot James: I thank my right hon. Friend for his points. I want to reassure the small businesses that he mentions. I sympathise with businesses that are getting conflicting advice, and with those that are approached by firms of consultants who appear to be exaggerating the scale of the task of complying with the legislation. I am afraid that that always happens when there is change; people think that they can exaggerate the impact and the implications of a change and—who knows?—perhaps they will be remunerated for helping businesses to comply.

I also want to reassure my right hon. Friend about the specific case that he mentioned, in which companies were being advised that they needed to delete all the data for which they did not have consent. I want to reassure him that the vast majority of businesses will not have to delete the personal data that they hold. If they have gained the personal data lawfully, there are five, if not six, lawful bases on which they can process that personal data, of which consent is only one. I draw his attention particularly to legitimate interests, which is a lawful basis for processing data. For example, if a small firm has been supplying a much-needed service to people for a number of years, it is in the pursuit of its legitimate interests to communicate with its database of customers or new prospects, and it does not need to have consent. I would advise people not to delete their data without very careful consideration, or without consultation with the ICO website in particular.

Anna Soubry: Will the Minister give way?

Margot James: I will give way to my right hon. Friend in a second. I want to respond to my right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) on the alleged discrimination involved in our taking steps to protect lawyers, parliamentarians, local councillors and so on but not to protect small businesses.

The reason is that small businesses are less affected, in the sense that most of them do not process huge quantities of personal data. They therefore come under the purview of the ICO to a lesser extent, and enforcement is less likely to focus on organisations that do not process highly personal data. Those organisations do not need to appoint a data protection officer. I hope that I have gone some way towards allaying my right hon. Friend's—

Sir Mike Penning rose—

Margot James: I will come back to my right hon. Friend in a moment, but I did say that I would give way to my right hon. Friend the Member for Broxtowe (Anna Soubry).

Anna Soubry: I thank my hon. Friend for that information, but it was mainly complete news to me, as I suspect it was to my right hon. Friend the Member for Hemel Hempstead too. We have a really serious problem here. I just cannot overestimate the amount of concern among small businesses. Medium-sized businesses with more than 250 employees have the benefit of a team of people, but this is a real crisis for small businesses and I am afraid that the lack of information is truly troubling. There are solutions, and perhaps we should discuss them in a different debate, but as a Government we have an absolute duty to get this right. There are devices available—HMRC sends out tax returns, for example—and there are many opportunities to get this information out there. At the moment, however, there is a lot of disinformation, and as my right hon. Friend the Member for Hemel Hempstead says, these businesses are the lifeblood of our economy. They do not know what is happening, and they are worried.

Sir Mike Penning: What the Minister said at the Dispatch Box a moment ago was also news to me. I have been campaigning and pushing on this for months—I spoke to the Secretary of State over the bank holiday weekend—and I was going to vote against the Bill this evening. Yes, we need data protection, but we do not want to destroy or frighten our businesses in the process. However, I take my hon. Friend at her word, and I will vote for the legislation this evening.

Margot James: I quite agree. In fact, both the Secretary of State and I were small business owners before entering this place, so I feel what my right hon. Friend says very deeply. I must commend my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) on the excellent advice that his office has put together on what it will be doing in this respect. For the benefit of my staff, I have set out exactly what my office will be doing to comply with the legislation. If my right hon. Friend has any concerns about his own situation—
Sir Mike Penning: I am not worried about us; I am worried about small businesses.

Margot James: In that case, I will proceed no further down that path. I am glad that I have been able to reassure my right hon. Friend and thank him for raising those important points.

5 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I thank the Minister for that clarification, but I am not sure that it is clear enough. She will undoubtedly be aware that the Windrush documents were supposedly destroyed as a result of data protection requirements. There remains a significant possibility that there will be a wholesale destruction of data, some of which might be important, useful and legitimately kept, unless the Government take further action.

Margot James: I commend the hon. Lady for that observation, because she has a fair point. I will raise her concern with the Information Commissioner. My right hon. Friend for Hemel Hempstead said that some businesses have been advised that they should delete their data, so I can see where the hon. Lady is going on that. It raises the prospect that some organisations might use this as an excuse to delete data that it would be in the data subject’s interests to preserve.

I have not been able to address every amendment in the time available, but I am mindful of the number of colleagues who wish to contribute, and we have less than 60 minutes remaining. I have addressed most of the matters that came up in the Public Bill Committee, and the Government’s position will remain the same on many of them.

In short, we have enhanced the ICO’s enforcement powers, we have changed the way we share data, we have reached out to parish councils, we have narrowed the immigration exemption and we have responded to calls to better protect lawyer-client confidentiality. We have also dealt—effectively, I hope—with the concern expressed by my hon. Friend the Member for Totnes about the sharing of data between the Department of Health and Social Care and the Home Office.

Liam Byrne: May I start by welcoming the new powers for the Information Commissioner, which we called for in Committee? Nobody who observed the debacle of the investigation into Cambridge Analytica will have needed persuading that those powers are necessary—it took the court five or six days to issue the requisite search warrants, and that time might well have been used by Cambridge Analytica to destroy evidence—so I am glad that the Minister has heeded our calls and introduced the proposals this afternoon. We are happy to give them our support.

I will speak to a number of new clauses and amendments in the group, particularly new clause 4, which is our enabling clause for creating a bold and imaginative Bill of data rights for the 21st century. I want to make the case for universal application of those rights, including their application to newcomers, who need rights in order to challenge bad decisions made by Governments, which is why our amendment 15 would strike out the immigration provisions that have so unwisely been put into the Bill. I will also say a few words about new measures that are needed in the Bill to defend the integrity of our democracy in the digital age.

The Minister took the time to make a comprehensive speech, which included an excellent explanation of the Government amendments, so I will be brief. Let me start with the argument for a Bill of data rights. Every so often we have to try to democratise both progress and protections. In this country we are the great writers of rights—we have been doing it since Magna Carta. Over the years, the universal declaration of human rights, the UN convention on the rights of the child, the charter of fundamental rights, the Human Rights Act 1998, the Equality Act 2010 and, indeed, the original Data Protection Act have all been good examples of how good and wise people in this country have enshrined into charters and other legal instruments a set of rights that we can all enjoy, that give us all a set of protections, and that help us to democratise progress.

Chi Onwurah: My right hon. Friend makes an excellent point. Does he share my astonishment that the Government are not taking the opportunity to update our rights for the digital age? Does he think that that is because they are too captured by the tech giants, because they are too confused by Brexit to invest in change, or because they are too ideologically constipated regarding the free market that they can do nothing about it?

Liam Byrne: My hon. Friend hits the nail on the head. The answer, of course, is that it is for all three of those reasons that we do not have before us an imaginative bill of digital rights, but the times do call for it.

In the early days, when we were writing great charters such as Magna Carta, the threats to ordinary citizens were from bad monarchs. We needed provisions such as Magna Carta and the Bill of Rights and the Glorious Revolution to protect the citizens of this country and their wealth from bad monarchs who would seek to steal things that were not theirs.

What we now confront is not a bad monarch—we have a fantastic monarch—but the risk of bad big tech. The big five companies now have a combined market capitalisation of some $2.5 trillion, and they are up to all sorts of things. They are often protected by the first amendment in the United States, but their business—their bad business—often hurts the data rights of citizens in this country.

That is why we need this new bill of rights. We have to accept that we are on the cusp of radical and rapid changes in legislation and regulation. I often make the point that over the course of the 19th century there was not one Factory Act but 17 Factory Acts. We had to legislate and re-立法 as technology, economics and methods of production changed, and that is the point we are at now. We will have to regulate and re-regulate, and legislate and re-legislate, again and again over the decades to come. Therefore, if we are to give people any certainty about what the new laws will look like, it would be a sensible precaution if we were to write down now the principles that will form the north star that guides us as we seek to keep legislation up to date.

Mr Jim Cunningham: I am sure that my right hon. Friend has received correspondence from constituents who are worried about the use of personal data. My
Liam Byrne: My hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) agree?

Liam Byrne: My hon. Friend is right. We have been on the receiving end of a huge number of data breaches in this country—really serious infringements of basic 21st-century rights—which is why we need a bold declaration of those rights so that the citizens of this country know what they are entitled to. Unless we get this right, we will not be able to build the environment of trust that is the basis of trade in the digital economy. At the moment, trust in the online world is extremely weak—that trust is going down, not up—so we need to put in place measures now, as legislators, to fix this, turn it around and put in place preparations for the future.

The Government’s proposal of a digital charter is a bit like the cones hotline approach to public service reform. The contents of the charter are not really rights but guidelines. There are no good methods of redress or transparency. Frankly, if we try to introduce rights and redress mechanisms in that way, they will basically fail and will not lead to any kind of change. That is why we urge the Government to follow the approach that we are setting out.

I put on record my profound thanks to Baroness Kidron and the 5Rights movement. Her work forms the basis of the bill of rights we are proposing to the House: the right to remove data, as enshrined in the GDPR—that right is very important to children—the right to know; the right to safety and support; the right to informed and conscious use; and the right to digital literacy. Those are the kinds of rights we should now be talking about, as the rights of every child and every citizen.

Margot James: The right hon. Gentleman makes some good points. I agree with the rights he is talking about, but those rights exist under the GDPR and are intrinsic to the Bill, so I see no need for his amendment.

Liam Byrne: There is no right to digital literacy under the Bill, which is why we propose the five rights as the core of new schedule 1 in which, as the Minister knows, we go much further. The provision sets out rights to equality of treatment, security, free expression, access, privacy, ownership and control, the right not to be discriminated against as a result of automated decision making, and rights on participation, protection and removal.

Rights are sometimes scattered through thousands and thousands of pages of legislation, which is where we are on data protection today. That is why from time to time, as a country, we decide to make bold declaratory statements of what principles should guide us. These are methods of simplification and consolidation, and we are pretty good at that in this country. When we press our proposal to enable the creation of such a bill of rights to a Division a little later, we hope that it will be the call that the Government need to begin the process of consultation, thought, argument and debate about the digital rights that we need in this century and what they need to look like. Rights should not be imposed from the top down; they should come from the grassroots up, and the process of conversation and consultation is long overdue. To help the Government, we will accelerate that debate during this year.

The second point I wish to make is about amendment 15, which would ensure that the rights set out in the GDPR would stretch to everyone in this country. It would mean that the Government would not be permitted to knock out selective rights for certain people who just happen to be newcomers to this country. The proposal to withhold data rights from migrants and newcomers is a disgrace and does not deserve to be in the Bill. In Committee, Ministers were unable to tell us why the Bill’s crime prevention provisions could not be stretched to accommodate their ambitions for immigration control. The Minister has not been able to give us a succinct definition of “immigration control” today, and we have not been able to hear about the lessons learned from Windrush. Frankly, the debate has been left poorly informed, and we have had promises that letters will be sent to hon. Members long after tonight’s vote.

Sir Edward Davey: I totally agree with the right hon. Gentleman’s point. He says that this is about newcomers and immigrants, and I am sure he will agree that it also applies to British citizens’ ability to get their immigration file. Can he confirm that that is the case?

Liam Byrne: I am not sure that that is the case. British citizens have confirmed rights under the GDPR—that is safeguarded under EU legislation—but the risks I am worried about are the same ones as the right hon. Gentleman. I spent two and a half years in the Home Office. I recognised many of the errors that were made by the former Home Secretary in the situation that we inherited back in 2006, so I do not think that lessons have been learnt from Windrush, or that many lessons have been learnt from errors over the past eight to 10 years. The Home Office is a great Department of State, with tremendous strengths. It has fantastic civil servants who do an amazing job, without the resources to do it properly and very often without the level of support they need from their Ministers, but it is a human institution and such institutions make mistakes. To correct those, we have tribunals and courts through which people can test decisions made by officials without the disinfectant of sunlight. Unless we equip those individuals with everything they need to make their case effectively, we risk injustice. After our debates over the past month, we must do everything we can so that we never run that risk again.

Mr Jim Cunningham: To pursue those rights, people also need legal aid, and in some circumstances, they are denied legal aid. The state should not have the right to give private information about its citizens to anybody, or even to sell it to organisations.

Liam Byrne: Correct. In my first months at the Home Office, I spent a lot of time in immigration tribunals. I used to go to the courts up in Islington to sit, watch and listen so that I could learn the basic mechanisms of justice in this country. The thing that struck me was the inequality of arms that comes to bear in these tribunals. On the one side, there is a Home Office lawyer, who is sometimes there, sometimes not. Home Office lawyers are backed by teams and have well-constructed cases and all the information they need. On the other side of
the argument are people without money or access to lawyers, but now the Government propose to deny some of them the information that they need to argue and win their cases. It is a recipe for injustice.

5.15 pm

Caroline Lucas (Brighton, Pavilion) (Green): I very much agree with the points that the right hon. Gentleman is making. Does he agree that we ought to consider the way in which the crime exemption in the Bill will be invoked in respect of low-level offences under immigration law? Is it really acceptable for data rights to be suspended in relation to normal activities such as driving—just being here—that are currently criminalised under immigration law?

Liam Byrne: Those are real risks, which is why amendment 15 would delete such an important chunk of the Bill and therefore improve it.

I know that when I was a Home Office Minister, I took decisions that sometimes were wrong, and those decisions were corrected through the tribunal system. Tribunal cases were often successfully prosecuted by those who had rights that we were seeking to deny because subject access requests had been used to get the information necessary to win the argument. If we switch off that access, injustice will follow, so I urge the Government to think again and I urge Members from all parties to support amendment 15.

The last measure to which I shall speak is new clause 6, which is our proposal for a UK version of the Honest Ads Act that is currently being debated in the United States Congress. I do not want to rehearse the background to the debate for long, because for six months now a hardy group of us has been seeking to raise and unpack the new risks that we confront from countries such as Russia that are aiming at us a new panoply of active measures, including all kinds of bad behaviour online. Right now, we do not have good measures to defend the integrity of our democracy. Indeed, the most recent edition of the national security strategy did not even include the defence of the integrity of democracy among its core strategic aims.

We have to bring our election law into the 21st century as it is hopelessly out of date. We have an Electoral Commission that is unable effectively to investigate donations and money coming from abroad. The Information Commissioner has only this afternoon been given the powers that it needs. Ofcom will not investigate videos on social media and the Advertising Standards Authority does not investigate political advertising. We have a massive lacuna in which there should be good, robust legislation to police elections in the 21st century.

If we look at what is going on throughout the west, we see that we have to wake up to this risk. Giving the Electoral Commission new powers to require information about money that is used to run campaigns that try to influence votes is now a de minimis provision for a modern democracy in the digital age. We hope that the Minister will listen to us and take our ideas on board.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. We have only 40 minutes left to debate this group and around 10 Members wish to speak. If everybody speaks for four to five minutes, everybody will get in; if not, some people will not get to speak at all.

Dr Sarah Wollaston (Totnes) (Con): I rise to speak to new clause 12, which was tabled in my name, that of my colleague, the hon. Member for Stockton South (Dr Williams), and those of other members of the Health and Social Care Committee and Members from all parties.

I wish to speak about the importance of medical confidentiality, because it lies at the heart of the trust between clinicians and their patients, and we mess with that at our peril. If people do not have that trust, they are less likely to come forward and seek the care that they need. There were many unintended consequences as a result of the decision enshrined in a memorandum of understanding between the Home Office, the Department of Health and NHS Digital, which allowed the sharing of addresses at a much lower crime threshold than serious crime. That was permitted under the terms of the Health and Social Care Act 2012, but patients were always protected, in effect, because the terms of the NHS constitution, the guidance from the General Medical Council and a raft of guidance from across the NHS and voluntary agencies protected the sharing of data in practice.

This shift was therefore particularly worrying. There were many unintended consequences for the individuals concerned. The Health and Social Care Committee was also deeply concerned about the wider implications that this might represent a shift to data sharing much more widely across Government Departments. There was a risk, for example, that the Department for Work and Pensions might take an interest in patients’ addresses to see whether people were co-habiting for the purpose of investigating benefit fraud. There was a really serious risk of that.

I am afraid that the letter that we received from the Department of Health and Social Care and the Home Office declining to withdraw from the memorandum of understanding made the risk quite explicit. I would just like to quote from the letter, because it is very important. I also seek further clarification from the Minister on this. The letter states that “it is also important to consider the expectations of anybody using the NHS—a state provided national resource. We do not consider that a person using the NHS can have a reasonable expectation when using this taxpayer-funded service that their non-medical data, which lies at the lower end of the privacy spectrum, will not be shared securely between other officers within government in the exercise of their lawful powers in cases such as these.”

I profoundly object to that statement. There was no such contract in the founding principles of the NHS. As I have said, it is vital that we preserve that fundamental principle of confidentiality, including for address data. I was delighted to hear the Minister’s words at the Dispatch Box, but can she just confirm for me absolutely that that statement has now been superseded?

Margot James: Yes, I can confirm absolutely that the statement that my hon. Friend quoted from the letter of 23 February has been superseded by today’s announcements.
Dr Wollaston: I thank the Minister for that reassurance. There is much more that I could say, but I know that there are very many other colleagues who wish to speak. With that reassurance, I am happy not to press my amendment to a vote.

I would like to make one further comment on protecting patients. At a time when confidence in data sharing is so important, especially around issues such as research, we all rely on the role of NHS Digital. Set up under the Health and Social Care Act 2012 as a non-departmental public body at arm’s length from Government, NHS Digital has the specific duty robustly to stand up for the interests of patients and for the principles of confidentiality.

As a Committee, we were deeply disappointed that, despite the clear concern set out from a range of bodies, including Public Health England, all the medical royal colleges, very many voluntary agencies, the National Data Guardian and others, the organisation seemed to have just the dimmest grasp of the principles of underpinning confidentiality. I wish to put it on the record that we expect the leadership of NHS Digital to take its responsibilities seriously, to understand the ethical underpinnings and to stand up for patients. With that, I will close my remarks. I thank the Minister for the time that she has taken to listen to our concerns and for her response.

Yvette Cooper: I wish to speak briefly to amendment 15 and to say to those on the Front Bench that this is their opportunity to actually do something as Ministers. I urge them to make a late change and not just to drift on with legislation that was drawn up before the Windrush scandal. They can go and talk to the Secretary of State—have a discussion with him—and decide now to accept amendment 15. I really urge Ministers to do that, because what the Bill is doing is immensely serious. The Bill is incredibly widely drawn. This exemption allows the Home Office to refuse subject access requests in immigration cases and to put in place data sharing without proper accountability in any case where it meets the maintenance of effective immigration control or the investigation or detection of activities that would undermine the maintenance of effective control, and yet, repeatedly, we have had no explanation from Ministers as to what effective immigration control means. That is because, in truth, it is immensely broad. It could mean meeting the net migration target, sustaining the hostile environment and enabling a deportation that the Home Office thinks is justified, even if in practice it has made a mistake. It could mean decisions being taken by immigration removal centres, G4S, Serco or any of the many private companies contracted by the Home Office to deliver its so-called effective immigration control.

The Home Office has made an objective of reducing the number of appeals and removing the right to appeal in immigration cases. If a subject access request makes an appeal more likely, why does preventing that SAR in order to prevent a potential appeal not count as immigration control under the Home Office’s definition? That would be unjustified and wrong, but it is made possible by the Bill. If the Government do not want that to be the case, they should change their proposed legislation and accept amendment 15.

Ministers do not have to go ahead with this right now. An immigration Bill is going to come down the track at some future point and it will give them and the Home Secretary the opportunity to reflect on the Windrush scandal. The Immigration Minister told the Home Affairs Committee yesterday that the culture of the Home Office, including that of casework and decision making, needs to change. The Home Secretary and the former Home Secretary recognise that substantial changes need to be made. We are told that huge lessons have been learned and we have been promised inquiries that will report back and have independent oversight. None of them have yet taken place, but the Windrush scandal has had shocking and devastating consequences for individual lives, as so many Members on both sides of the House acknowledge. I therefore ask Ministers to not make future Windrush scandals more likely and to not deny people the information they need about their case in order to prove their circumstances and ensure that a Home Office mistake or error can be overturned.

Michael Braithwaite came here from Barbados in 1961. He is a special needs teacher who has lived here for more than 50 years, and yet he was sacked from his job because the Home Office got it wrong. His lawyer’s application for a subject access request formed part of the process for clearing up and sorting out his case, but the Bill will make it much more difficult to make such a request. Subject access requests are already often resisted by the Home Office. Whether inadvertently or intentionally, the Home Office has a bad record in complying swiftly and fully with subject access requests, so why on earth does this Bill make that more likely and further allow the Home Office to simply not give the information they need to make sure that justice is done?

There are huge concerns about the way in which targets have operated. The Home Secretary and other Ministers will have to look into that in depth. In the meantime, however, they should not allow a situation to develop whereby the operation of those targets could end up with subject access requests being denied because meeting those targets is seen as part of effective immigration control.

The Home Office does get things wrong. There are huge strengths and skills within the Home Office. There are people who work immensely hard to try to get things right, but we know that a Department that size gets things wrong and we have seen the evidence, to terrible effect, in the Windrush cases. There have been 60 cases of unlawful detention in the past few years, even before the Windrush cases. Nearly half of the cases that go to appeal go against the Home Office because it got those decisions wrong. Sampling by the immigration inspectorate found that 10% of the data that the Home Office gave to banks, telling them to close people’s accounts because they were here illegally, was in fact wrong and that those people should not have had their bank accounts closed. Given that level of errors and mistakes, why on earth would we prevent the kind of transparency that subject access requests deliver? Some 39,000 people were wrongly sent texts telling them that they were here unlawfully. The Home Office makes mistakes, and we need transparency and subject access requests to be able to challenge those mistakes.

5.30 pm

I say to Ministers: take this exemption out of the Bill. We do not need it. We did not have this kind of exemption from previous data protection Acts, so we do not need it from this one. They can revisit it in the
immigration Bill once they have had time to do a proper consultation and consider all the options, but they should not do this now.

Let me give the House one final reason why amendment 15 is so important. We are storing up further problems that could prevent us from fighting crime and injustice through international security co-operation. After Brexit, we need a co-operation agreement—a data adequacy agreement—with the EU, so that our police and law enforcement agencies can continue to legally share the data they need to solve crimes, stop criminals and prevent terror attacks. However, this whopping great exemption to the GDPR lying at the heart of the Bill will, as the Home Affairs Committee has warned, make it harder for us to get the data adequacy agreement that we need.

I am immensely worried about what will happen if that data adequacy agreement is delayed, and the Government should be much more worried than they appear to be about the consequences for our security and crime fighting if that data adequacy agreement is not secured. So I say to them: do not make it harder. Do not keep this exemption in the Bill. Remove it, not just for the sake of future security and crime co-operation, but for the sake of preventing more injustices like Windrush.

**Damian Collins:** The significance of the Bill and the importance of data and data protection to the economy and the whole of society is reflected in this debate. The fact that amendments have been tabled on Report through the work of three different departmental Select Committees shows how wide-rangiing this issue is.

I principally want to talk about amendments 20 and 21, which stand in my name and those of other members of the Digital, Culture, Media and Sport Committee and which are addressed by Government amendments, too. Before I do so, I want to add that the Chair of the Home Affairs Committee, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), made a very important point about the fact that some people—particularly those involved in immigration cases—may not have full access to the data rights enjoyed by others. If the Minister can provide any further clarification, I will be happy to give way before I move on.

**Margot James:** After the exchange I had with the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), I wanted to confirm that the Home Office will certainly not destroy any data for which there is still a legitimate and ongoing need not just for the Home Office but for data subjects.

**Damian Collins:** I am grateful to the Minister for that further clarification.

Amendments 20 and 21 get to the heart of an issue that has been raised by a number of Members, which is the power of the Information Commissioner to act in data investigations. The Minister, the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) and others have referenced the Cambridge Analytica data breach scandal, which is a very good example of why these additional powers are needed. We raised that in the Select Committee with the Secretary of State. The Information Commissioner raised it with us and it was raised on the Floor of the House on Second Reading.

The ability to fine companies for being in breach of data rules is important, but what is most significant is that we get hold of the data needed by investigators, so that we understand who is doing what, how they are doing it and how wide-ranging this is. It is crucial that the Information Commissioner has the enforcement powers she needs to complete those investigations.

In the case of Cambridge Analytica, an information notice was issued by the Information Commissioner to that company to comply with requests for data and information. Not only did Cambridge Analytica not comply, but Cambridge Analytica and Facebook knew that. That information notice expired at 5 o’clock on the evening of the day when that deadline was set; it was the beginning of the week. Before the notice had expired and a warrant could even be applied for, Facebook had sent in its own lawyers and data experts to try to recover data that was relevant to the Information Commissioner’s request.

The Information Commissioner found out about that live on “Channel 4 News” and then effectively sent a cease and desist note to Facebook, telling it to withdraw its people. She might very well not have been made aware of what Facebook was doing that evening, and data vital for her investigation could have been taken out of her grasp by parties to the investigation, which would have been completely wrong. Not only did that happen—thankfully, Facebook stood down—but a further five days expired before a warrant could be issued—before the right judge in the right court had the time to grant the warrant to enable her to complete her work. We live in a fast-moving world, and data is the fuel of that fast-moving world, so we cannot have 19th or even 20th-century legal responses. We must give our investigatory authorities the powers they need to be effective, which means seizing data on demand, without notice, as part of an investigation, and having the ability to see how data is used in the workplace or wider environment.

The Government are bringing forward amendments, which I think have the support of the House, that will give us one of the most effective enforcement regimes in the world. They will give us the power to do something we have not been able to do before, which is to go behind the curtain to see what tech companies, even major tech companies, are doing and make sure they comply with our data rules and regulations. Without that or an effective power to inspect, we would largely be in the position of having to take their word for it when they said they were complying with the GDPR. Particularly with companies such as Facebook that run closed systems—they have closed algorithms and their data is not open in any way—there are very good commercial reasons for doing so, but there are also consumer safety reasons. We must have the power to go in and check what they are doing, so the amendments are absolutely vital.

There are further concerns. The shadow Minister, the right hon. Member for Birmingham, Hodge Hill, was right to raise concerns about honesty and transparency in political advertising. Both the Information Commissioner and the Electoral Commission are examining the use of data in politics, as well as looking at who places the ads. It is already a breach of the law in the UK, as it is in other countries, for people outside our jurisdiction to run political advertising during election campaigns in this country.
In the case of Facebook, it is unacceptable that its ad placement teams have not spotted such advertising and stopped it happening when someone is breaking the law. If this were about the financial services sector, we would not let a company say, “Well, we thought someone was breaking the law, but we weren’t told to do anything about it, so we didn’t”. We would expect such a company to spot it and to take effective action. We need to see a lot more progress on this, particularly in relation to the placement of micro-targeting ads and dark ads. The Institute of Practitioners in Advertising has called for a moratorium on the micro-targeting of political ads, which may be seen only by the person who receives an ad and the person who places it.

When the chief technology officer of Facebook, Mike Schroepfer, gave evidence to the Select Committee, I asked him whether, if someone set up a Facebook page to run ads during a campaign and micro-targeted individual voters before taking down the page at the end of the campaign and destroying the adverts, Facebook would have any record that that advertising had ever run, he said that he did not know. We have written to him and Mark Zuckerberg saying that we need to know, because unless we know, a bad actor could run ads in huge volumes, investing a huge amount of money in breach of electoral law, and if they did not declare it, there would be no record of that advertising ever having been placed.

Liam Byrne: The Chair of the Select Committee is doing a brilliant job with his investigation, but the argument must stretch further than simply political advertising. For example, when Voter Consultancy Ltd ran attack ads against Conservative Members, accusing some of them of being Brexit mutineers, it was running an imprint for a company that was actually filing dormant accounts at Companies House. There are real questions not just about political ads in the narrow traditional sense, but about how to get to the bottom of who is literally writing the cheques.

Damian Collins: The right hon. Gentleman is absolutely right and that throws up two really important points.

The first point is that the Information Commissioner is also currently investigating this, which links to the right hon. Gentleman’s point about where the money comes from and who the data controllers are in these campaigns. Although Facebook is saying that it will in future change its guidelines so that people running political ads must have their identity and location verified, we know that it is very easy for bad actors to fake those things. It would be pretty easy for anyone in the House to set up a Facebook page or account using a dummy email address they have created that is not linked to a real person, but is a fake account. This is not necessarily as robust as it seems, so we need to know who is running these ads and what their motivation is for doing so.

Secondly, the Information Commissioner is also looking at the holding of political data. It is already an offence for people to harvest and collect data about people’s political opinions or to target them using it without their consent, and it is an offence for organisations that are not registered political parties even to hold such data. If political consultancies are scraping data off social media sites such as Facebook, combining it with other data that helps them to target voters and micro-targeting them with messaging during a political campaign or at any time, there is a question as to whether that is legal now, let alone under the protection of GDPR.

As a country and a society, we have been on a journey over the past few months and we now understand much more readily how much data is collected about us, how that data is used and how vulnerable that data can be to bad actors. Many Facebook users would not have understood that Facebook not only keeps information about what they do on Facebook, but gathers evidence about what non-Facebook users do on the internet and about what Facebook users do on other sites around the internet. It cannot even tell us what proportion of internet sites around the world it gathers such data from. Developers who create games and tools that people use on Facebook harvest data about those users, and it is then largely outside the control of Facebook and there is little it can do to monitor what happens to it. It can end up in the hands of a discredited and disgraced company like Cambridge Analytica.

These are serious issues. The Bill goes a long way towards providing the sort of enforcement powers we need to act against the bad actors, but they will not stop and neither will we. No doubt there will be further challenges in the future that will require a response from this House.

Brendan O’Hara: I will be very brief, Madam Deputy Speaker, because we are incredibly tight for time.

There is so much in the Bill that I would like to talk about, such as effective immigration control, delegated powers and collective redress, not to mention the achievement of adequacy, but I will concentrate on amendment 5, which appears in my name and those of my hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) and the hon. Member for Brighton, Pavilion (Caroline Lucas).

The amendment seeks to provide protection for individuals where automated decision making could have an adverse impact on their fundamental rights. It would require that, where human rights are or could be impacted by automated decisions, ultimately, there will always be a human decision maker at the end of the process. It would instil that vital protection of human rights in respect of the general processing of personal data. We believe strongly that automated decision making without human intervention should be subject to strict limitations to promote fairness, transparency and accountability, and to prevent discrimination. As it stands, the Bill provides insufficient safeguards.

I am talking about decisions that are made without human oversight, but that can have long-term, serious consequences for an individual’s health or financial, employment, residential or legal status. As it stands, the Bill will allow law enforcement agencies to make purely automated decisions. That is fraught with danger and we believe it to be at odds not just with the Data Protection Act 1998, but with article 22 of the GDPR, which gives individuals the right not to be subject to a purely automated decision. We understand that there is provision within the GDPR for states to opt out, but that opt-out does not apply if the data subject’s rights, freedoms or legitimate interests are undermined.
Brendan O’Hara:

I urge the House to support amendment 5 and to make it explicit in the Bill that, where automated processing that could have long-term consequences for an individual’s health or financial, employment or legal status is carried out, a human being will have to decide whether it is reasonable and appropriate to continue. Not only will that human intervention provide transparency and accountability; it will ensure that the state does not infringe an individual’s fundamental rights and privacy—issues that are often subjective and are beyond the scope of an algorithm. We shall press the amendment to the vote this evening.

Margot James rose—

Brendan O’Hara: I would give way, Minister, but I am very pushed for time.

I would like to voice my support and that of the SNP for amendment 15 on effective immigration control. We believe that the exemption is fundamentally wrong, disproportionate and grossly unfair, and we call on the Government to stop it.

Colin Clark (Gordon) (Con): I am conscious of the time, Madam Deputy Speaker, so I will not take too long.

This country is committed to remaining a global leader on data protection. The fundamental principle behind the Bill is to bring our data protection and information laws up to speed in the digital age. If we are to keep pace with technology and restore accountability in this area, we need a strong Information Commissioner’s Office. I am therefore pleased that the Government have brought forward new clauses 13 and 14. Remarkably, 11.5% of global data flows through the UK. It is vital that the UK plays a key role in ensuring compliance.

5.45 pm

The Bill strikes a balance between individuals’ protection and organisations. It creates a bespoke framework for law enforcement, which is vital to our security services. I welcome the Minister’s comments giving comfort to businesses. In my constituency, they were deeply concerned about some of the claims made by organisations.

New clause 13 ensures that the Information Commissioner can seek a court order to enforce an information notice, given under clause 141 of the Bill, should someone fail to comply. New clause 14 makes it an offence, as the Minister said, for someone to destroy, dispose of, conceal, block or falsify information required by the Information Commissioner. The new clauses will ensure that companies and individuals subject to an Information Commissioner’s Office assessment notice are truly accountable.

The recent scandals involving Cambridge Analytica and Facebook, mentioned by several hon. Members, shone a spotlight on this area of the law. Cambridge Analytica has been repeatedly accused of holding back data. The story is so concerning because it reached the very corridors of power in which we work. Political parties and campaigns from various countries, and even in this country, sought out Cambridge Analytica’s help. The UK Government’s new clauses and amendments will ensure that the Bill does exactly what they intend it to do.

Sir Edward Davey: The right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) made a very powerful speech in favour of amendment 15, and I would like to associate myself with and my party with all the comments she made. In particular, I underline the point she made that the Home Office powers in the Bill have no limit and are completely subjective.

The Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), is sitting on the Government Back Benches, talking to a colleague. She is a respected lawyer who has practised law. Imagine if she had a client who was being denied reunification with their family, was not allowed to work, was being deported from this country and was not able to have access to the information on which that decision was made. That would go against all the principles of the rule of law of which this country is proud and which this House has upheld century after century, yet she, as a Home Office Minister, is allowing that to happen.

I urge the hon. Lady to think about that and, as the right hon. Member for Normanton, Pontefract and Castleford said, go to the new Home Secretary, who said he would take a new approach and sweep away some of the past, and ask him to think again and allow amendment 15 to proceed tonight. As the right hon. Lady said, there will be another opportunity with another immigration Bill coming up soon. The Home Office Minister and the Home Secretary can rest assured that the powers under paragraph 2 in schedule 2 relating to criminal actions would cover all the examples that Ministers in Committee, on Second Reading and in the other place have given for why they think this proposed legislation is required.

Yvette Cooper: The Secretary of State for the Department for Digital, Culture, Media and Sport is now back in his place. Does the right hon. Gentleman agree that it would simply take a phone call between him and the Home Secretary to agree that this measure could be suspended? The whole issue could be revisited in the immigration Bill coming down the track in due course. It could be removed from this Bill now for the sake of the Windrush generation.

Sir Edward Davey: The right hon. Lady is absolutely right, and it is the Windrush generation who should be in our minds above all.

The right hon. Lady mentioned the need—this will be dependent on the EU negotiations—to ensure that we have access to data for national security and for fighting crime. That is in the Government’s interests as they negotiate Brexit, in particular with respect to the rights of EU citizens. I am fairly convinced that when the Commission really wakes up to the implications of paragraph 4 in schedule 2, it will say that this is acting in bad faith. The Government have agreed a settlement for the 3 million EU citizens in this country and the EU citizens who may wish to come to this country in the years ahead. The Bill will take away the rights they thought they would have. I therefore say to Ministers on the Front Bench and those on the Back Benches that they have just a few minutes or so to think again before it is too late.

Daniel Zeichner (Cambridge) (Lab): I want to endorse new clause 4, which was so ably set out by my right hon. Friend the Member for Birmingham, Hodge Hill (Liam
Byrne) from the Opposition Front Bench. I went on the Bill Committee with a sense of optimism and excitement, perhaps naively, because it seemed that so much needed to be done at the moment. Almost every day new issues arise—I hardly need to say that for me, “Cambridge” and “analytics” is an unfortunate combination. In the past few days, there have been facial recognition issues in the Welsh police and Amnesty International has raised the issue of gang lists. I hoped that we could rise to the challenge. However, I fear that although the Bill is hundreds and hundreds of pages long—in the pre-digital age, it would probably have been described as being the size of a telephone book—as Members have observed, does anyone really know what it means? That is why we needed a simple set of rights that people could understand. The sad thing is that people in the wider world are doing such good work and we should be looking at it. Look at what Tim Berners-Lee and Nigel Shadbolt are doing to try to transfer the data away from the big tech companies to make it our data. That is key, and it is the underpinning principle of the GDPR, but I am not sure that we have been able to translate it into legislation.

I make two final observations. First, the golden thread running through much of this is data adequacy, which was referred to by the Chair of the Home Affairs Committee, my right hon. Friend the Member for Normanton, Pontefract and Castleford. In too many places there are genuine concerns, not just from Opposition Members but from Members in the other place, about our being tripped up on data adequacy, which is so important.

Finally, on the Information Commissioner’s role, a huge amount is being passed to her. We can have every confidence in her, but does she really have the resources, power and expertise? Most importantly, we are outsourcing some huge, really important judgments to the Information Commissioner, but I think it should be the role of this place to make those judgements in future, and I fear that we will come back to those points later in the day.

Dr Paul Williams (Stockton South) (Lab): It is a pleasure to follow my hon. Friend the Member for Cambridge (Daniel Zeichner). I also pay tribute to the hon. Member for Totnes (Dr Wollaston), who is an extremely capable Chair of the Health and Social Care Committee and has shown real resolution and persistence on new clause 12.

In the sanctity of the consulting room, patients tell doctors, nurses and NHS staff all kinds of things. I have had all kinds of private and confidential issues disclosed to me in the 22 years that I have worked as a doctor; but the protection that the NHS gives to this information is absolutely fundamental. For years, the NHS has, on request from the Home Office, been sharing the address details of some patients that have ultimately been used to deport an unknown number of people over many years.

I recently visited a clinic run by the excellent charity, Doctors of the World, in Bethnal Green. I heard stories there of vulnerable people being afraid to approach NHS services because they cannot be certain that the information that they are asked to give will be treated confidentially. I heard about pregnant women not going for antenatal care, people with HIV not getting treatment and people who are afraid to take their children to the GP. The bond of trust between the NHS and its patients relies on the truth being told in both directions. Sadly, people have been avoiding the NHS because they do not trust it. That is bad for the reputation of the NHS, bad for the health of individual patients and bad for public health.

Doctors, nurses and other health professionals do not want information that is given to the NHS by patients to be shared except in the most extreme cases, when there is a significant risk to individuals or to the public. I am pleased that the Government have found a way to assure the House this evening that NHS information will be shared only in the event of a conviction or an investigation for a serious crime. This is the only way to preserve the integrity of the NHS and the immeasurable, vital and precious bond of trust between NHS staff and their patients.

Caroline Lucas: Like others, I would like to associate myself with the very powerful arguments that have been made in favour of amendment 15, but I want to speak briefly to amendment 16 to extend the debate about the conditions under which someone’s rights can be breached. It would prevent the crime exemption in the Bill being invoked in relation to low-level offences under immigration law.

Few of us would dispute the overall principle that data might be shared in some circumstances—for example, to prevent a serious crime or to apprehend an offender—but when the crimes in question are not serious and arise simply because of someone’s immigration status, we have to question whether the grounds for suspending data protection rights really do stack up. It is clear that the majority of offences under immigration law are not serious crimes. Most result only in a custodial sentence of two years or less, or a fine. Rather, they are the mundane activities of people doing what they must to survive. The effect is already forcing undocumented migrants to avoid sending their children to school, visiting the GP, presenting to homelessness services and seeking social support, for fear they might risk detention and removal by doing so.

Last year, a woman who was five months pregnant went to report being repeatedly raped to the police but was subsequently arrested at a rape crisis centre on immigration grounds. My amendment 16 seeks to better protect her and all others like her whose data protection rights are routinely being breached just because they are undocumented migrants and who are therefore being automatically criminalised just for leading their lives. There must be a firewall between Home Office immigration control and other Departments if we are serious about ending the current hostile immigration environment.

Stuart C. McDonald: I echo the criticisms of the outrageous immigration exemption in the Bill and am pleased to add my name to amendment 15.

Little has been said today about international transfers of personal data by intelligence services, despite the serious concerns raised in Committee. I will therefore speak briefly to new clause 24, which it is all the more important we debate, given the moves by the Trump Administration in the USA to roll back on safeguards on the targeting of drone strikes and the significant increase in their use of lethal force outside armed conflict zones. These developments mean an increased risk of strikes being in breach of international human
[Stuart C. McDonald]

rights law, and we know that UK intelligence personnel are involved in the transfer of data that could be used in such drone strikes, so it is all the more important that there be safeguards and accountability on when and how information can be transferred and that legal certainty be provided for our personnel.

As the Joint Committee on Human Rights said in its 2016 report, “we owe it to all those involved in the chain of command for such uses of lethal force...to provide them with absolute clarity about the circumstances in which they will have a defence against any possible future criminal prosecution, including those which might originate from outside the UK.”

The Bill fails to provide those safeguards and clarity. Clause 109 places no realistic restriction on such transfers, referring simply to necessity and proportionality in pursuit of statutory goals. The new clause would provide a clear bar on transfers for use in unlawful operations and introduce accountability and transparency by requiring that written reasons be provided for any transfer thought to be lawful, that there be ministerial sign-off, that certain information be provided to the Information Commissioner and the Investigatory Powers Commissioner and that guidance on transfers be laid before Parliament. The new clause would not hinder but help our personnel working in this area and ensure that the UK is seen as complying with the rule of law and its international obligations. This is an important debate to which we will have to return in the future.

Question put and agreed to.

New clause 13 accordingly read a Second time, and added to the Bill.

New Clause 14

**DESTROYING OR FALSIFYING INFORMATION AND DOCUMENTS ETC**

“(1) This section applies where a person—

(a) has been given an information notice requiring the person to provide the Commissioner with information, or

(b) has been given an assessment notice requiring the person to direct the Commissioner to a document, equipment or other material or to assist the Commissioner to view information.

(2) It is an offence for the person—

(a) to destroy or otherwise dispose of, conceal, block or (where relevant) falsify all or part of the information, document, equipment or material, or

(b) to cause or permit the destruction, disposal, concealment, blocking or (where relevant) falsification of all or part of the information, document, equipment or material, with the intention of preventing the Commissioner from viewing, or being provided with or directed to, all or part of the information, document, equipment or material.

(3) It is a defence for a person charged with an offence under subsection (2) to prove that the destruction, disposal, concealment, blocking or falsification would have occurred in the absence of the person being given the notice.”—(Margot James.)

This new clause would be inserted after Clause 145. It provides that, where the Information Commissioner has given an information notice (see Clause 141) or an assessment notice (see Clause 144) requiring access to information, a document, equipment or material, it is an offence to destroy or otherwise dispose of, conceal, block or (where relevant) falsify it.

Brought up, read the First and Second time, and added to the Bill.

New Clause 15

**APPLICATIONS IN RESPECT OF URGENT NOTICES**

“(1) This section applies where an information notice, an assessment notice or an enforcement notice given to a person contains an urgency statement.

(2) The person may apply to the court for either or both of the following—

(a) the disapplication of the urgency statement in relation to some or all of the requirements of the notice;

(b) a change to the time at which, or the period within which, a requirement of the notice must be complied with.

(3) On an application under subsection (2), the court may do any of the following—

(a) direct that the notice is to have effect as if it did not contain the urgency statement;

(b) direct that the inclusion of the urgency statement is not to have effect in relation to a requirement of the notice;

(c) vary the notice by changing the time at which, or the period within which, a requirement of the notice must be complied with;

(d) vary the notice by making other changes required to give effect to a direction under paragraph (a) or (b) or in consequence of a variation under paragraph (c).

(4) The decision of the court on an application under this section is final.

(5) In this section, “urgency statement” means—

(a) in relation to an information notice, a statement under section 141(7)(a),

(b) in relation to an assessment notice, a statement under section 144(8)(a) or (8A)(d), and

(c) in relation to an enforcement notice, a statement under section 147(8)(a).”—(Margot James.)

This new clause would be inserted after Clause 160. It enables a person who is given an information notice, assessment notice or enforcement which requires the person to comply with it urgently to apply to the court for variation of the timetable for compliance. It replaces the provision in Clauses 159(2) and 160(5) for appeals to the Tribunal. See also Amendments 54, 56 and 60.

Brought up, read the First and Second time, and added to the Bill.

New Clause 16

**POST-REVIEW POWERS TO MAKE PROVISION ABOUT REPRESENTATION OF DATA SUBJECTS**

“(1) After the report under section 182(1) is laid before Parliament, the Secretary of State may by regulations—

(a) exercise the powers under Article 80(2) of the GDPR in relation to England and Wales and Northern Ireland,

(b) make provision enabling a body or organisation which meets the conditions in Article 80(1) of the GDPR to exercise a data subject’s rights under Article 82 of the GDPR in England and Wales and Northern Ireland without being authorised to do so by the data subject, and

(c) make provision described in section 182(2)(c) in relation to the exercise in England and Wales and Northern Ireland of the rights of a data subject who is a child.

(2) The powers under subsection (1) include power—

(a) to make provision enabling a data subject to prevent a body or other organisation from exercising, or continuing to exercise, the data subject’s rights;

(b) to make provision about proceedings before a court or tribunal where a body or organisation exercises a data subject’s rights;
(c) to make provision for bodies or other organisations to bring proceedings before a court or tribunal combining two or more claims in respect of a right of a data subject;
(d) to confer functions on a person, including functions involving the exercise of a discretion;
(e) to amend sections 162 to 164, 173, 180, 194, 196 and 197;
(f) to insert new sections and Schedules into Part 6 or 7;
(g) to make different provision in relation to England and Wales and in relation to Northern Ireland.
(3) The powers under subsection (1)(a) and (b) include power to make provision in relation to data subjects who are children or data subjects who are not children or both.
(4) The provision mentioned in subsection (2)(b) and (c) includes provision about—
(a) the effect of judgments and orders;
(b) agreements to settle claims;
(c) the assessment of the amount of compensation;
(d) the persons to whom compensation may or must be paid, including compensation not claimed by the data subject;
(e) costs.
(5) Regulations under this section are subject to the affirmative resolution procedure.”—[Margot James.]

This new clause would be inserted after Clause 182. It contains the provisions currently in subsections (4) to (7) of Clause 182, modified to take account of the changes made to that Clause by Amendments 61 and 62 (see subsections (1)(c) and (3) of this new Clause).

Brought up, read the First and Second time, and added to the Bill.

New Clause 17

RESERVE FORCES: DATA-SHARING BY HMRC

“(1) The Reserve Forces Act 1996 is amended as follows.
(2) After section 125 insert—

“125A Supply of contact details by HMRC
(1) This subsection applies to contact details for—
(a) a member of an ex-regular reserve force, or
(b) a person to whom section 66 (officers and former servicemen liable to recall) applies,
which are held by HMRC in connection with a function of HMRC.
(2) HMRC may supply contact details to which subsection (1) applies to the Secretary of State for the purpose of enabling the Secretary of State—
(a) to contact a member of an ex-regular reserve force in connection with the person’s liability, or potential liability, to be called out for service under Part 6;
(b) to contact a person to whom section 66 applies in connection with the person’s liability, or potential liability, to be recalled for service under Part 7.
(3) Where a person’s contact details are supplied under subsection (2) for a purpose described in that subsection, they may also be used for defence purposes connected with the person’s service (whether past, present or future) in the reserve forces or regular services.
(4) In this section, “HMRC” means Her Majesty’s Revenue and Customs.

125B Prohibition on disclosure of contact details supplied under section 125A

‘(1) A person who receives information supplied under section 125A may not disclose it except with the consent of the Commissioners for Her Majesty’s Revenue and Customs (which may be general or specific).
(2) A person who contravenes subsection (1) is guilty of an offence.
(3) It is a defence for a person charged with an offence under this section to prove that the person reasonably believed—
(a) that the disclosure was lawful, or
(b) that the information had already lawfully been made available to the public.
(4) Subsections (4) to (7) of section 19 of the Commissioners for Revenue and Customs Act 2005 apply to an offence under this section as they apply to an offence under that section.
(5) Nothing in section 107 or 108 (institution of proceedings and evidence) applies in relation to an offence under this section.

125C Data protection

‘(1) Nothing in section 125A or 125B authorises the making of a disclosure which contravenes the data protection legislation.
(2) In this section, “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).”—[Margot James.]

This new clause would be inserted after Clause 186. It provides for HMRC to supply the Secretary of State with the contact details of members of the ex-regular reserve force and former members of the armed forces so that they may be contacted regarding their liability to be called out or recalled for service under the Reserved Forces Act 1996. The details supplied may also be used for defence purposes connected with their service in the forces (whether past, present or future). It is an offence for the details supplied to be disclosed without the consent of the Commissioners for Revenue and Customs.

Brought up, read the First and Second time, and added to the Bill.

6 pm
Proceedings interrupted (Programme Order, this day).
The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 4

BILL OF DATA RIGHTS IN THE DIGITAL ENVIRONMENT (NO. 2)

“(1) The Secretary of State shall, by regulations, establish a Bill of Data Rights in the Digital Environment.
(2) Before making regulations under this section, the Secretary of State shall—
(a) consult—
(i) the Commissioner,
(ii) trade associations,
(iii) data subjects, and
(iv) persons who appear to the Commissioner or the Secretary of State to represent the interests of data subjects; and
(b) publish a draft of the Bill of Data Rights.
(3) The Bill of Data Rights in the Digital Environment shall enshrine—
(a) a right for a data subject to have privacy from commercial or personal intrusion,
(b) a right for a data subject to own, curate, move, revise or review their identity as founded upon personal data (whether directly or as a result of processing of that data),
(c) a right for a data subject to have their access to their data profiles or personal data protected, and
(d) a right for a data subject to object to any decision made solely on automated decision-making, including a decision relating to education and employment of the data subject.
(4) Regulations under this section are subject to the affirmative resolution procedure.”—[Tom Watson.]

This new clause would empower the Secretary of State to introduce a Bill of Data Rights in the Digital Environment.
Brought up.  

Question put, That the clause be added to the Bill:

The House divided: Ayes 283, Noes 309.

Division No. 153 [6.1 pm]

AYES

Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blenfield, 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
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummings, 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 Tanmanjeet Singh
Docherty-Hughes, Martin

Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kilien, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben

Lamb, rh Norman
Lammy, rh Mr David
Lavery, lan
Law, Chris
Lee, 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
Mahmod, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McDonagh, Siobhain
McDonald, Andy
McDonald, Steward Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGover, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, lan
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan

O'Mara, Jared
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Pidcock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Roddia, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
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
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Tami, Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Tellers for the Ayes: Thangam Debbonaire and Fiona Onasanya

NOES

Davies, Philip
Davis, rh Mr David
Davening, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dods, rh Nigel
Donaldson, rh Sir Jeffrey
M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doye, Mr Peter
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
Evetten, rh David
Fabricant, Michael
Fallon, rh Sir Michael
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
Garner, Mark
Gauke, rh Mr David
Ghani, Ms Nazia
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Graving, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gymah, Mr Sam
Hair, Kirstene
Haffner, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
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
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, rh Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Ms 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, Mr Philip
Lopez, Julia
Lopresti, Jack
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Merryn, Huw
Metcalf, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryl
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jez
O’Brien, Neil
Oford, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Patoners, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Perry, Andrew
Perry, rh Claire
Philo, Chris
Pincher, Christopher
Prentis, Victoria
Prisk, 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
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, rh Julian
Smith, Rhos onden
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
This amendment provides that the authorities listed in new subsection (2A) are not “public authorities” or “public bodies” for the purposes of the GDPR by virtue of being public authorities or Scottish public authorities as defined in the Freedom of Information Act 2000 and the Freedom of Information (Scotland) Act 2002.
Tellers for the Ayes:
Patrick Grady and
Marion Fellows

NOES
Chishti, Rehman
Chope, Sir Christopher
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
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
Davies, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodd, rh Nigel
Donaldson, rh Sir Jeffrey
M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky

Godsiff, Mr Roger
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynn, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hiller, Meg
Hobhouse, Wera
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 P.
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeler, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, 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
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McDonagh, Siobhain
McDonald, Andy
McDonald, Steward Malcolm
McDonald, Stuart
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
Mclnnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorin, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Graham
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
O'Mara, Jared
Onasanya, Fiona
Oon, Selina
Onurah, 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
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Roddia, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulp
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
Solbey, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Tami, Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon

Adams, Nigel
Afolami, Bim
Afrinie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Anderson, 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
Bradby, Sir Graham
Braverman, Suella
Breton, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cardidge, James
Cash, rh Sir William
Caulfield, Maria
Chalk, Alex

Turley, Anna
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
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
Wishart, Pete
Woodcock, John
Zeichner, Daniel
excluded from Chapter 3 of Part 2 (other general processing).

This amendment clarifies the description of the types of processing (Margot James.) and insert “to which Part 3 (law enforcement processing) or”

and insert “and to which Chapter 2 or 3 of Part 2, Part 3 or Part 4 applies.

data etc in Parts 5 to 7 of the Bill are usually to personal data etc

Clause 3(14)(c) and (d), which provide that references to personal data, a controller or a processor in

This amendment secures that the references to personal data, the processing of personal data, a controller or a processor.”—(Margot James.)

references in this section to personal data, the processing of

‘( ) Paragraphs (c) and (d) of section 3(14) do not apply to references in this section to personal data, the processing of personal data, a controller or a processor.”—(Margot James.)

This amendment clarifies the description of the types of processing excluded from Chapter 3 of Part 2 (other general processing).

Clause 21

Processing to which this Chapter applies

Amendment made: 143, page 13, line 10, leave out “to which Part 3 (law enforcement processing) or” and insert “by a competent authority for any of the law enforcement purposes (as defined in Part 3) or processing to which”.—(Margot James.)

This amendment clarifies the description of the types of processing included in Part 3 of Part 2 (other general processing).

Clause 119

Inspection of personal data in accordance with international obligations

Amendment made: 25, page 66, line 12, at end insert—

‘( ) Paragraphs (c) and (d) of section 3(14) do not apply to references in this section to personal data, the processing of personal data, a controller or a processor.”—(Margot James.)

This amendment clarifies the description of the types of processing excluded from Chapter 3 of Part 2 (other general processing).
Clause 120
FURTHER INTERNATIONAL ROLE

Amendment made: 26, page 67, line 4, at end insert—

'( ) Section 3(14)(e) does not apply to references to personal data and the processing of personal data in this section.”—(Margot James.)

This amendment secures that the references to personal data and the processing of personal data in Clause 120 include all types of personal data and the processing of personal data. It disapplies Clause 3(14)(c), which provides that references to personal data etc. in Parts 5 to 7 of the Bill are usually to personal data etc to which Chapter 2 or 3 of Part 2, Part 3 or Part 4 applies.

Clause 141
INFORMATION NOTICES

Amendments made: 27, page 78, line 2, after “of” insert “—

(i) investigating a suspected failure of a type described in section 146(2) or a suspected offence under this Act, or

(ii) ”.

This amendment enables the Information Commissioner to obtain information from any person for the purposes of investigating failures to comply with the data protection legislation that are listed in Clause 146(2) or suspected offences under the Bill.

Amendment 28, page 78, line 5, after “state” insert “—

(a) whether it is given under subsection (1)(a), (b)(i) or (b)(ii), and

(b) ”.

This amendment requires information notices given by the Information Commissioner to state whether they are given under Clause 141(1)(a), (b)(i) or (b)(ii). See also Amendment 27.

Amendment 29, page 78, line 15, leave out “the rights of appeal under section 159” and insert “—

(a) the consequences of failure to comply with it, and

(b) the rights under sections 159 and (Applications in respect of urgent notices) (appeals etc).”

This amendment adds a requirement for information notices to include information about the consequences of failure to comply. The reference in paragraph (b) to applications in respect of urgent notices is consequential on NC15.

Amendment 30, page 78, line 26, leave out “7 days” and insert “24 hours”.—(Margot James.)

This amendment provides that, in urgent cases, the Information Commissioner must allow a minimum of 24 hours, rather than 7 days, for a person to provide information requested in an information notice.

Clause 144
ASSESSMENT NOTICES

Amendments made: 31, page 80, line 19, after “for” insert “a copy (in such form as may be requested) of”. This amendment and Amendments 32 and 33 tidy up Clause 144(2)(d) and make clear that the Commissioner may ask for copies of documents, as well as information viewed, to be provided in a particular form.

Amendment 32, page 80, line 20, leave out “a copy of”. See the explanatory statement for Amendment 31.

Amendment 33, page 80, line 21, leave out “a copy (in such form as may be requested) of”. See the explanatory statement for Amendment 31.

Clause 146
ENFORCEMENT NOTICES

Amendments made: 40, page 82, line 22, after “GDPR” insert “or section 64 or 65 of this Act”. This amendment enables the Information Commissioner to give an enforcement notice or a penalty notice (see Clause 152(1)(a)) in respect of a failure to comply with Clause 64 or 65 of the Bill (law enforcement processing: data protection impact assessments and prior consultation with the Commissioner).

Amendment 41, page 83, line 8, leave out “enforcement notices” and insert “an enforcement notice”. This amendment is made for drafting consistency with the provision inserted by Amendment 43.
Amendment 42, page 83, line 9, at end insert 
“; including by amending this section and sections 147 to 149.”.

This amendment is consequential on Amendment 43.

Amendment 43, page 83, line 10, leave out paragraph (b) and insert—

“( ) may make provision about the giving of an information notice, an assessment notice or a penalty notice, or about powers of entry and inspection, in connection with the failure, including by amending sections 141, 142, 144, 145 and 152 to 154 and Schedules 15 and 16, and”.—(Margot James.)

This amendment enables the Secretary of State, when making regulations enabling the Information Commissioner to give enforcement notices in respect of further failures, to make provision about the exercise of the Information Commissioner’s other enforcement powers in connection with the failure.

Clause 147

Enforcement notices: supplementary

Amendments made: 44, page 83, line 31, leave out “the rights of appeal under section 159” and insert “—

(a) the consequences of failure to comply with it, and
(b) the rights under sections 159 and (Applications in respect of urgent notices) (appeals etc.)”.

This amendment adds a requirement for enforcement notices to include information about the consequences of failure to comply. The reference in paragraph (b) to applications in respect of urgent notices is consequential on new Clause NC15.

Amendment 45, page 83, line 44, leave out “7 days” and insert “24 hours”.—(Margot James.)

This amendment provides that, in urgent cases, the Information Commissioner must allow a minimum of 24 hours, rather than 7 days, for a person to comply with an enforcement notice.

Clause 155

Fixed penalties for non-compliance with charges regulations

Amendment made: 46, page 88, line 36, leave out “Secretary of State” and insert “Commissioner”.—(Margot James.)

This amendment provides that the persons to be consulted before the Commissioner produces a document specifying the penalties for non-compliance with charges regulations are the persons that the Commissioner, rather than the Secretary of State, considers appropriate.

Clause 157

Guidance about regulatory action

Amendments made: 47, page 89, line 12, at end insert—

“( ) information notices.”.

This amendment requires the guidance produced under Clause 157 to include guidance about how the Information Commissioner proposes to exercise her functions in connection with information notices.

Amendment 48, page 89, line 18, at end insert—

‘( ) In relation to information notices, the guidance must include—

(a) provision specifying factors to be considered in determining the time at which, or the period within which, information is to be required to be provided;
(b) provision about the circumstances in which the Commissioner would consider it appropriate to give an information notice to a person in reliance on section 141(7) (urgent cases);
(c) provision about how the Commissioner will determine how to proceed if a person does not comply with an information notice.”

This amendment specifies what the guidance under Clause 157 in relation to information notices must include.

Amendment 49, page 89, line 21, at end insert—

“( ) provision about the circumstances in which the Commissioner would consider it appropriate to give an assessment notice in reliance on section 144(8) or (8A) (urgent cases).”.

This amendment provides that the guidance under Clause 157 in relation to assessment notices must include provision about when the Information Commissioner would consider it appropriate to give an assessment notice requiring a person to comply with it urgently.

Amendment 50, page 89, line 33, at end insert—

“( ) provision about how the Commissioner will determine how to proceed if a person does not comply with an assessment notice.”

This amendment provides that the guidance under Clause 157 in relation to assessment notices must include provision about how the Information Commissioner will determine how to proceed if a person does not comply with such a notice.

Amendment 51, page 89, line 39, at end insert—

‘( ) In relation to enforcement notices, the guidance must include—

(a) provision specifying factors to be considered in determining whether to give an enforcement notice to a person;
(b) provision about the circumstances in which the Commissioner would consider it appropriate to give an enforcement notice to a person in reliance on section 147(8) (urgent cases);
(c) provision about how the Commissioner will determine how to proceed if a person does not comply with an enforcement notice.”

This amendment specifies what the guidance under Clause 157 in relation to enforcement notices must include.

Amendment 52, page 90, line 2, at end insert—

“( ) provision about how the Commissioner will determine how to proceed if a person does not comply with a penalty notice.”

This amendment provides that the guidance under Clause 157 in relation to penalty notices must include provision about how the Information Commissioner will determine how to proceed if a person does not comply with such a notice.

Amendment 53, page 90, line 9, leave out “Secretary of State” and insert “Commissioner”.—(Margot James.)

This amendment provides that the persons to be consulted before the Commissioner produces guidance about regulatory action are the persons that the Commissioner, rather than the Secretary of State, considers appropriate.

Clause 159

Rights of appeal

Amendments made: 54, page 91, line 10, leave out subsection (2).

See the explanatory statement for NC15.

Amendment 55, page 91, line 20, after “appeal” insert “to the Tribunal”.—(Margot James.)

This amendment adds a reference to the Tribunal in Clause 159(4) for consistency with Clause 159(5) and (5).

Clause 160

Determination of appeals

Amendment made: 56, page 91, line 39, leave out subsection (5).—(Margot James.)

See the explanatory statement for NC15.
Clause 173

JURISDICTION

Amendments made: 57, page 100, line 38, for “subsection (3)” substitute “(subsections (3) and (4))”.

See the explanatory statement for Amendment 58.

Amendment 58, page 100, line 39, at end insert—

“( ) section (Information orders) (information orders);”.

This amendment and Amendments 57 and 60 provide that information orders under new Clause NC13 can normally be made by the High Court or county court or, in Scotland, by the Court of Session or the sheriff. There is an exception for cases in which the information notice contains an urgency statement, when only the High Court or, in Scotland, the Court of Session can make an information order.

Amendment 59, page 101, line 2, after “jurisdiction” insert—

“conferred by the provisions listed in subsection (2).”.

This amendment adds words to make clear that the jurisdiction referred to in Clause 173(3) is the jurisdiction conferred on a court by the provisions listed in subsection (2) of that clause.

Amendment 60, page 101, line 3, at end insert—

‘(4) In relation to an information notice which contains a statement under section 141(7), the jurisdiction conferred on a court by section (Information orders) is exercisable only by the High Court or, in Scotland, the Court of Session.

(5) The jurisdiction conferred on a court by section (Applications in respect of urgent notices) (applications in respect of urgent notices) is exercisable only by the High Court or, in Scotland, the Court of Session.’—(Margot James.)

See the explanatory statement for Amendment 58. This amendment also provides that applications under NC13 are to be dealt with by the High Court or, in Scotland, by the Court of Session.

Clause 182

DUTY TO REVIEW PROVISION FOR REPRESENTATION OF DATA SUBJECTS

Amendments made: 61, page 106, line 34, at end insert—

“( ) section (Destroying or falsifying information and documents etc);”.—(Margot James.)

This amendment requires the Secretary of State to consult specified matters relating to children when preparing the report under the review under Clause 182. It also imposes an obligation on the Secretary of State to consult specified persons before preparing the report under that clause.

Amendment 63, page 106, line 37, leave out subsections (4) to (7).—(Margot James.)

This amendment is consequential on NC16, which reproduces subsections (4) to (7) of Clause 182 with modifications.

Clause 187

PENALTIES FOR OFFENCES

Amendment made: 64, page 109, line 24, after “143” insert—

“( ) section (Destroying or falsifying information and documents etc)”.—(Margot James.)

This amendment provides for a person who commits an offence under NC14 to be liable to a fine, on summary conviction or on conviction on indictment.

Clause 190

RECORDABLE OFFENCES

Amendment made: 65, page 111, line 12, at end insert—

“( ) section (Destroying or falsifying information and documents etc)”.—(Margot James.)

This amendment provides for convictions for the offence under NC14 to be recorded on the Police National Computer. People who are arrested for a recordable offence may have their fingerprints and DNA samples taken.

Clause 198

TERRITORIAL APPLICATION OF THIS ACT

Amendment made: 66, page 118, line 36, after “provision” insert “in or”.—(Margot James.)

Subsections (1) to (3) of Clause 198 (territorial application) set out when the Bill applies to the processing of personal data. Subsection (4) provides that subsections (1) to (3) have effect subject to provision made “under” Clause 120. This amendment amends subsection (4) so that it also refers to provision made “in” Clause 120 (see Clause 120(4)).
Clause 203

COMMENCEMENT

Amendment made: 67, page 121, line 36, for “204” substitute “204(2)”.—(Margot James.)

This amendment is consequential on Amendment 68.

Clause 204

TRANSITIONAL PROVISION

Amendments made: 68, page 122, line 1, at end insert—

‘(1) Schedule (Transitional provision etc) contains transitional, transitory and saving provision.’

(2) ‘.

This amendment is consequential on NS3.

Amendment 69, page 122, line 4, at end insert

“or with the GDPR beginning to apply, including provision amending or repealing a provision of Schedule (Transitional provision etc).

‘( ) Regulations under this section that amend or repeal a provision of Schedule (Transitional provision etc) are subject to the negative resolution procedure.”—(Margot James.)

This amendment enables the Secretary of State, by regulations, to make transitional, transitory or saving provision in connection with the GDPR beginning to apply. It also enables regulations, subject to the negative resolution procedure, to amend NS3.

Clause 205

EXTENT

Amendments made: 70, page 122, line 11, leave out “and 182” insert “,182 and (Post-review powers to make provision about representation of data subjects)”.

This amendment is consequential on NC16. It provides that the new Clause extends to England and Wales and Northern Ireland only.

Amendment 71, page 122, line 16, for “204” substitute “204(2)”.—(Margot James.)

This amendment is consequential on Amendment 68.

New Schedule 3

TRANSITIONAL PROVISION ETC

PART 1

GENERAL

Interpretation

1 (1) In this Schedule—

“the 1984 Act” means the Data Protection Act 1984;
“the 1998 Act” means the Data Protection Act 1998;
“the 2014 Regulations” means the Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014 (S.I. 2014/3141);
“data controller” has the same meaning as in the 1998 Act (see section 1 of that Act);
“the old data protection principles” means the principles set out in—
(a) Part 1 of Schedule 1 to the 1998 Act, and
(b) regulation 30 of the 2014 Regulations.

(2) A provision of the 1998 Act that has effect by virtue of this Schedule is not, by virtue of that, part of the data protection legislation (as defined in section 3).

PART 2

RIGHTS OF DATA SUBJECTS

Right of access to personal data under the 1998 Act

2 (1) The repeal of sections 7 to 9A of the 1998 Act (right of access to personal data) does not affect the application of those sections after the relevant time in a case in which a data controller received a request under section 7 of that Act (right of access to personal data) before the relevant time.

(2) The repeal of sections 7 and 8 of the 1998 Act and the revocation of regulation 44 of the 2014 Regulations (which applies those sections with modifications) do not affect the application of those sections and that regulation after the relevant time in a case in which a UK competent authority received a request under section 7 of the 1998 Act (as applied by that regulation) before the relevant time.

(3) The revocation of the relevant regulations, or their amendment by Schedule 18 to this Act, and the repeals and revocation mentioned in sub-paragraphs (1) and (2), do not affect the application of the relevant regulations after the relevant time in a case described in those sub-paragraphs.

(4) In this paragraph—

“the relevant regulations” means—
(a) the Data Protection (Subject Access) (Fees and Miscellaneous Provisions) Regulations 2000 (S.I. 2000/191); (b) regulation 4 of, and Schedule 1 to, the Consumer Credit (Credit Reference Agency) Regulations 2000 (S.I. 2000/290);
(c) regulation 3 of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (S.I. 2004/3244);
“the relevant time” means the time when the repeal of section 7 of the 1998 Act comes into force;
“UK competent authority” has the same meaning as in Part 4 of the 2014 Regulations (see regulation 27 of those Regulations).

Right to prevent processing likely to cause damage or distress under the 1998 Act

3 (1) The repeal of section 10 of the 1998 Act (right to prevent processing likely to cause damage or distress) does not affect the application of that section after the relevant time in a case in which an individual gave notice in writing to a data controller under that section before the relevant time.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 10 of the 1998 Act comes into force.

Right to prevent processing for purposes of direct marketing under the 1998 Act

4 (1) The repeal of section 11 of the 1998 Act (right to prevent processing for purposes of direct marketing) does not affect the application of that section after the relevant time in a case in which an individual gave notice in writing to a data controller under that section before the relevant time.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 11 of the 1998 Act comes into force.

Automated processing under the 1998 Act

5 (1) The repeal of section 12 of the 1998 Act (rights in relation to automated decision-taking) does not affect the application of that section after the relevant time in relation to a decision taken by a person before that time if—

(a) in taking the decision the person failed to comply with section 12(1) of the 1998 Act, or

(b) at the relevant time—

(i) the person had not taken all of the steps required under section 12(2) or (3) of the 1998 Act, or

(ii) the period specified in section 12(2)(b) of the 1998 Act (for an individual to require a person to reconsider a decision) had not expired.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 12 of the 1998 Act comes into force.
Compensation for contravention of the 1998 Act or Part 4 of the 2014 Regulations

6 (1) The repeal of section 13 of the 1998 Act (compensation for failure to comply with certain requirements) does not affect the application of that section after the relevant time in relation to damage or distress suffered at any time by reason of an act or omission before the relevant time.

(2) The revocation of regulation 45 of the 2014 Regulations (right to compensation) does not affect the application of that regulation after the relevant time in relation to damage or distress suffered at any time by reason of an act or omission before the relevant time.

(3) “The relevant time” means—
   (a) in sub-paragraph (1), the time when the repeal of section 13 of the 1998 Act comes into force;
   (b) in sub-paragraph (2), the time when the revocation of regulation 45 of the 2014 Regulation comes into force.

Rectification, blocking, erasure and destruction under the 1998 Act

7 (1) The repeal of section 14(1) to (3) and (6) of the 1998 Act (rectification, blocking, erasure and destruction of inaccurate personal data) does not affect the application of those provisions after the relevant time in a case in which an application was made under subsection (1) of that section before the relevant time.

(2) The repeal of section 14(4) to (6) of the 1998 Act (rectification, blocking, erasure and destruction: risk of further contravention in circumstances entitling data subject to compensation under section 13 of the 1998 Act) does not affect the application of those provisions after the relevant time in a case in which an application was made under subsection (4) of that section before the relevant time.

(3) In this paragraph, “the relevant time” means the time when the repeal of section 14 of the 1998 Act comes into force.

Jurisdiction and procedure under the 1998 Act

8 The repeal of section 15 of the 1998 Act (jurisdiction and procedure) does not affect the application of that section in connection with sections 7 to 14 of the 1998 Act as they have effect by virtue of this Schedule.

Exemptions under the 1998 Act

9 (1) The repeal of Part 4 of the 1998 Act (exemptions) does not affect the application of that Part after the relevant time in connection with a provision of Part 2 of the 1998 Act as it has effect after that time by virtue of paragraphs 2 to 7 of this Schedule.

(2) The revocation of the relevant Orders, and the repeal mentioned in sub-paragraph (1), do not affect the application of the relevant Orders after the relevant time in connection with a provision of Part 2 of the 1998 Act as it has effect as described in sub-paragraph (1).

(3) In this paragraph—
   “the relevant Orders” means—
   (a) the Data Protection (Corporate Finance Exemption) Order 2000 (S.I. 2000/184);
   (b) the Data Protection (Subject Access Modification) (Health) Order 2000 (S.I. 2000/413);
   (c) the Data Protection (Subject Access Modification) (Education) Order 2000 (S.I. 2000/414);
   (d) the Data Protection (Subject Access Modification) (Social Work) Order 2000 (S.I. 2000/415);
   (e) the Data Protection (Crown Appointments) Order 2000 (S.I. 2000/416);
   (f) Data Protection (Miscellaneous Subject Access Exemptions) Order 2000 (S.I. 2000/419);
   (g) Data Protection (Designated Codes of Practice) (No. 2) Order 2000 (S.I. 2000/1864);

   “the relevant time” means the time when the repeal of the provision of Part 2 of the 1998 Act in question comes into force.

(4) As regards certificates issued under section 28(2) of the 1998 Act, see Part 5 of this Schedule.

Prohibition by this Act of requirement to produce relevant records

10 (1) In Schedule 17 to this Act, references to a record obtained in the exercise of a data subject access right include a record obtained at any time in the exercise of a right under section 7 of the 1998 Act.

(2) In section 177 of this Act, references to a “relevant record” include a record which does not fall within the definition in Schedule 17 to this Act (read with sub-paragraph (1)) but which, immediately before the relevant time, was a “relevant record” for the purposes of section 56 of the 1998 Act.

(3) In this paragraph, “the relevant time” means the time when the repeal of section 56 of the 1998 Act comes into force.

Avoidance under this Act of certain contractual terms relating to health records

11 In section 178 of this Act, references to a record obtained in the exercise of a data subject access right include a record obtained at any time in the exercise of a right under section 7 of the 1998 Act.

PART 3

THE GDPR AND PART 2 OF THIS ACT

Exemptions from the GDPR: restrictions of rules in Articles 13 to 15 of the GDPR

12 In paragraph 20(2) of Schedule 2 to this Act (self-incrimination), the reference to an offence under this Act includes an offence under the 1998 Act or the 1984 Act.

Manual unstructured data held by FOI public authorities

13 Until the first regulations under section 24(8) of this Act come into force, “the appropriate maximum” for the purposes of that section is—
   (a) where the controller is a public authority listed in Part 1 of Schedule 1 to the Freedom of Information Act 2000, £600, and
   (b) otherwise, £450.

PART 4

LAW ENFORCEMENT AND INTELLIGENCE SERVICES

PROCESSING

Logging

14 (1) In relation to an automated processing system set up before 6 May 2016, subsections (1) to (3) of section 62 of this Act do not apply if and to the extent that compliance with them would involve disproportionate effort.

(2) Sub-paragraph (1) ceases to have effect at the beginning of 6 May 2023.

Regulation 50 of the 2014 Regulations (disapplicability of the 1998 Act)

15 Nothing in this Schedule, read with the revocation of regulation 50 of the 2014 Regulations, has the effect of applying a provision of the 1998 Act to the processing of personal data to which Part 4 of the 2014 Regulations applies in a case in which that provision did not apply before the revocation of that regulation.

Maximum fee for data subject access requests to intelligence services

16 Until the first regulations under section 94(4)(b) of this Act come into force, the maximum amount of a fee that may be required by a controller under that section is £10.

PART 5

NATIONAL SECURITY CERTIFICATES

National security certificates: processing of personal data under the 1998 Act

17 (1) The repeal of section 28(2) to (12) of the 1998 Act does not affect the application of those provisions after the relevant time with respect to the processing of personal data to which the 1998 Act (including as it has effect by virtue of this Schedule) applies.
(2) A certificate issued under section 28(2) of the 1998 Act continues to have effect after the relevant time with respect to the processing of personal data to which the 1998 Act (including as it has effect by virtue of this Schedule) applies.

(3) Where a certificate continues to have effect under sub-paragraph (2) after the relevant time, it may be revoked or quashed in accordance with section 28 of the 1998 Act after the relevant time.

(4) In this paragraph, “the relevant time” means the time when the repeal of section 28 of the 1998 Act comes into force.

National security certificates: processing of personal data under the 2018 Act

18 (1) This paragraph applies to a certificate issued under section 28(2) of the 1998 Act (an “old certificate”) which has effect immediately before the relevant time.

(2) If and to the extent that the old certificate provides protection with respect to personal data which corresponds to protection that could be provided by a certificate issued under section 27, 79 or 111 of this Act, the old certificate also has effect to that extent after the relevant time as if—

(a) it were a certificate issued under one or more of sections 27, 79 and 111 (as the case may be),

(b) it provided protection in respect of that personal data in relation to the corresponding provisions of this Act or the applied GDPR, and

(c) where it has effect as a certificate issued under section 79, it certified that each restriction in question is a necessary and proportionate measure to protect national security.

(3) Where an old certificate also has effect as if it were a certificate issued under one or more of sections 27, 79 and 111, that section has, or those sections have, effect accordingly in relation to the certificate.

(4) Where an old certificate has an extended effect because of sub-paragraph (2), section 129 of this Act does not apply in relation to it.

(5) An old certificate that has an extended effect because of sub-paragraph (2) provides protection only with respect to the processing of personal data that occurs during the period of 1 year beginning with the relevant time (and a Minister of the Crown may curtail that protection by wholly or partly revoking the old certificate).

(6) For the purposes of this paragraph—

(a) a reference to the protection provided by a certificate issued under—

(i) section 28(2) of the 1998 Act, or

(ii) section 27, 79 or 111 of this Act, is a reference to the effect of the evidence that is provided by the certificate;

(b) protection provided by a certificate under section 28(2) of the 1998 Act is to be regarded as corresponding to protection that could be provided by a certificate under section 27, 79 or 111 of this Act where, in respect of provision in the 1998 Act to which the certificate under section 28(2) relates, there is corresponding provision in this Act or the applied GDPR to which a certificate under section 27, 79 or 111 could relate.

(7) In this paragraph, “the relevant time” means the time when the repeal of section 28 of the 1998 Act comes into force.

PART 6

THE INFORMATION COMMISSIONER

Appointment etc

19 (1) On and after the relevant day, the individual who was the Commissioner immediately before that day—

(a) continues to be the Commissioner,

(b) is to be treated as having been appointed under Schedule 12 to this Act, and

(c) holds office for the period—

(i) beginning with the relevant day, and

(ii) lasting for 7 years less a period equal to the individual’s pre-commencement term.

(2) On and after the relevant day, a resolution passed by the House of Commons for the purposes of paragraph 3 of Schedule 5 to the 1998 Act (salary and pension of Commissioner), and not superseded before that day, is to be treated as having been passed for the purposes of paragraph 4 of Schedule 12 to this Act.

(3) In this paragraph—

“pre-commencement term”, in relation to an individual, means the period during which the individual was the Commissioner before the relevant day;

“the relevant day” means the day on which Schedule 12 to this Act comes into force.

Accounts

20 (1) The repeal of paragraph 10 of Schedule 5 to the 1998 Act does not affect the duties of the Commissioner and the Comptroller and Auditor General under that paragraph in respect of the Commissioner’s statement of account for the financial year beginning with 1 April 2017.

(2) The Commissioner’s duty under paragraph 11 of Schedule 12 to this Act to prepare a statement of account for each financial year includes a duty to do so for the financial year beginning with 1 April 2018.

Annual report

21 (1) The repeal of section 52(1) of the 1998 Act (annual report) does not affect the Commissioner’s duty under that subsection to produce a general report on the exercise of the Commissioner’s functions under the 1998 Act during the period of 1 year beginning with 1 April 2017 and to lay it before Parliament.

(2) The repeal of section 49 of the Freedom of Information Act 2000 (annual report) does not affect the Commissioner’s duty under that section to produce a general report on the exercise of the Commissioner’s functions under that Act during the period of 1 year beginning with 1 April 2017 and to lay it before Parliament.

(3) The first report produced by the Commissioner under section 138 of this Act must relate to the period of 1 year beginning with 1 April 2018.

Fees etc received by the Commissioner

22 (1) The repeal of Schedule 5 to the 1998 Act (Information Commissioner) does not affect the application of paragraph 9 of that Schedule after the relevant time to amounts received by the Commissioner before the relevant time.

(2) In this paragraph, “the relevant time” means the time when the repeal of Schedule 5 to the 1998 Act comes into force.

23 Paragraph 10 of Schedule 12 to this Act applies only to amounts received by the Commissioner after the time when that Schedule comes into force.

Functions in connection with the Data Protection Convention

24 (1) The repeal of section 54(2) of the 1998 Act (functions to be discharged by the Commissioner for the purposes of Article 13 of the Data Protection Convention), and the revocation of the Data Protection (Functions of Designated Authority) Order 2000 (S.I. 2000/186), do not affect the application of articles 1 to 5 of that Order after the relevant time in relation to a request described in those articles which was made before that time.

(2) The references in paragraph 9 of Schedule 13 to this Act (Data Protection Convention: restrictions on use of information) to requests made or received by the Commissioner under paragraph 6 or 7 of that Schedule include a request made or received by the Commissioner under article 3 or 4 of the Data Protection (Functions of Designated Authority) Order 2000 (S.I. 2000/186).

(3) The repeal of section 54(7) of the 1998 Act (duty to notify the European Commission of certain approvals and authorisations) does not affect the application of that provision after the relevant time in relation to an approval or authorisation granted before the relevant time.
In this paragraph, “the relevant time” means the time when the repeal of section 54 of the 1998 Act comes into force.

**Information notices**

30 (1) The repeal of section 43 of the 1998 Act (information notices) does not affect the application of that section after the relevant time in a case in which—

(a) the Commissioner served a notice under that section before the relevant time (and did not cancel it before that time), or

(b) the Commissioner requires information after the relevant time for the purposes of—

(i) responding to a request made under section 42 of the 1998 Act before that time,

(ii) determining whether a data controller complied with the old data protection principles before that time, or

(iii) determining whether a data controller complied with the sixth data protection principle sections after that time.

2 In section 43 of the 1998 Act, as it has effect by virtue of this paragraph—

(a) the reference to an offence under section 47 of the 1998 Act includes an offence under section 143 of this Act, and

(b) the references to an offence under the 1998 Act include an offence under this Act.

(3) In this paragraph, “the relevant time” means the time when the repeal of section 43 of the 1998 Act comes into force.

**Special information notices**

31 (1) The repeal of section 44 of the 1998 Act (special information notices) does not affect the application of that section after the relevant time in a case in which—

(a) the Commissioner served a notice under that section before the relevant time (and did not cancel it before that time), or

(b) the Commissioner considers it appropriate, after the relevant time, to investigate—

(i) whether a data controller complied with the old data protection principles before that time, or

(ii) whether a data controller complied with the sixth data protection principle sections after that time.

(3) In this paragraph, “the relevant time” means the time when the repeal of section 44 of the 1998 Act comes into force.

**Assessment notices**

32 (1) The repeal of sections 41A and 41B of the 1998 Act (assessment notices) does not affect the application of those sections after the relevant time in a case in which—

(a) the Commissioner served a notice under section 41A of the 1998 Act before the relevant time (and did not cancel it before that time), or

(b) the Commissioner considers it appropriate, after the relevant time, to investigate—

(i) whether a data controller complied with the old data protection principles before that time, or

(ii) whether a data controller complied with the sixth data protection principle sections after that time.

(2) The revocation of the Data Protection (Assessment Notices) (Designation of National Health Service Bodies) Order 2014 (S.I. 2014/3282), and the repeals mentioned in sub-paragraph (1), do not affect the application of that Order in a case described in sub-paragraph (1).
(3) Sub-paragraph (1) does not enable the Secretary of State, after the relevant time, to make an order under section 41A(2)(b) or (c) of the 1998 Act (data controllers on whom an assessment notice may be served) designating a public authority or person for the purposes of that section.

(4) Section 41A of the 1998 Act, as it has effect by virtue of sub-paragraph (1), has effect as if subsections (8) and (11) (duty to review designation orders) were omitted.

(5) The repeal of section 41C of the 1998 Act (code of practice about assessment notice) does not affect the application, after the relevant time, of the code issued under that section and in force immediately before the relevant time in relation to the exercise of the Commissioner’s functions under and in connection with section 41A of the 1998 Act, as it has effect by virtue of sub-paragraph (1).

(6) In this paragraph, “the relevant time” means the time when the repeal of section 41A of the 1998 Act comes into force.

Enforcement notices

33 (1) The repeal of sections 40 and 41 of the 1998 Act (enforcement notices) does not affect the application of those sections after the relevant time in a case in which—

(a) the Commissioner served a notice under section 40 of the 1998 Act before the relevant time (and did not cancel it before that time), or

(b) the Commissioner is satisfied, after that time, that a data controller—

(i) contravened the old data protection principles before that time, or

(ii) contravened the sixth data protection principle sections after that time.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 40 of the 1998 Act comes into force.

Determination by Commissioner as to the special purposes

34 (1) The repeal of section 45 of the 1998 Act (determination by Commissioner as to the special purposes) does not affect the application of that section after the relevant time in a case in which—

(a) the Commissioner made a determination under that section before the relevant time, or

(b) the Commissioner considers it appropriate, after the relevant time, to make a determination under that section.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 45 of the 1998 Act comes into force.

Restriction on enforcement in case of processing for the special purposes

35 (1) The repeal of section 46 of the 1998 Act (restriction on enforcement in case of processing for the special purposes) does not affect the application of that section after the relevant time in relation to an enforcement notice or information notice served under the 1998 Act—

(a) before the relevant time, or

(b) after the relevant time in reliance on this Schedule.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 46 of the 1998 Act comes into force.

Offences

36 (1) The repeal of sections 47, 60 and 61 of the 1998 Act (offences of failing to comply with certain notices and of providing false information etc in response to a notice) does not affect the application of those sections after the relevant time in connection with an information notice, special information notice or enforcement notice served under Part 5 of the 1998 Act—

(a) before the relevant time, or

(b) after that time in reliance on this Schedule.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 47 of the 1998 Act comes into force.

Powers of entry

37 (1) The repeal of sections 50, 60 and 61 of, and Schedule 9 to, the 1998 Act (powers of entry) does not affect the application of those provisions after the relevant time in a case in which—

(a) a warrant issued under that Schedule was in force immediately before the relevant time,

(b) before the relevant time, the Commissioner supplied information on oath for the purposes of obtaining a warrant under that Schedule but that had not been considered by a circuit judge or a District Judge (Magistrates’ Courts), or

(c) after the relevant time, the Commissioner supplies information on oath to a circuit judge or a District Judge (Magistrates’ Courts) in respect of—

(i) a contravention of the old data protection principles before the relevant time,

(ii) a contravention of the sixth data protection principle sections after the relevant time;

(iii) the commission of an offence under a provision of the 1998 Act (including as the provision has effect by virtue of this Schedule);

(iv) a failure to comply with a requirement imposed by an assessment notice issued under section 41A the 1998 Act (including as it has effect by virtue of this Schedule).

(2) In paragraph 16 of Schedule 9 to the 1998 Act, as it has effect by virtue of this paragraph, the reference to an offence under paragraph 12 of that Schedule includes an offence under paragraph 15 of Schedule 15 to this Act.

(3) In this paragraph, “the relevant time” means the time when the repeal of Schedule 9 to the 1998 Act comes into force.

(4) Paragraphs 14 and 15 of Schedule 9 to the 1998 Act (application of that Schedule to Scotland and Northern Ireland) apply for the purposes of this paragraph as they apply for the purposes of that Schedule.

Monetary penalties

38 (1) The repeal of sections 55A, 55B, 55D and 55E of the 1998 Act (monetary penalties) does not affect the application of those provisions after the relevant time in a case in which—

(a) the Commissioner served a monetary penalty notice under section 55A of the 1998 Act before the relevant time,

(b) the Commissioner served a notice of intent under section 55B of the 1998 Act before the relevant time, or

(c) the Commissioner considers it appropriate, after the relevant time, to serve a notice mentioned in paragraph (a) or (b) in respect of—

(i) a contravention of section 4(4) of the 1998 Act before the relevant time, or

(ii) a contravention of the sixth data protection principle sections after the relevant time.

(2) The revocation of the relevant subordinate legislation, and the repeals mentioned in sub-paragraph (1), do not affect the application of the relevant subordinate legislation (or of provisions of the 1998 Act applied by them) after the relevant time in a case described in sub-paragraph (1).

(3) Guidance issued under section 55C of the 1998 Act (guidance about monetary penalty notices) which is in force immediately before the relevant time continues in force after that time for the purposes of the Commissioner’s exercise of functions under sections 55A and 55B of the 1998 Act as they have effect by virtue of this paragraph.

(4) In this paragraph—

“the relevant subordinate legislation” means—

(a) the Data Protection (Monetary Penalties) (Maximum Penalty and Notices) Regulations 2010 (S.I. 2010/31);
Appeals

39 (1) The repeal of sections 48 and 49 of the 1998 Act (appeals) does not affect the application of those sections after the relevant time in relation to a notice served under the 1998 Act or a determination made under section 45 of that Act—
   (a) before the relevant time, or
   (b) after that time in reliance on this Schedule.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 48 of the 1998 Act comes into force.

Exemptions

40 (1) The repeal of section 28 of the 1998 Act (national security) does not affect the application of that section after the relevant time for the purposes of a provision of Part 5 of the 1998 Act as it has effect after that time by virtue of the preceding paragraphs of this Part of this Schedule.

(2) In this paragraph, “the relevant time” means the time when the repeal of the provision of Part 5 of the 1998 Act in question comes into force.

(3) As regards certificates issued under section 28(2) of the 1998 Act, see Part 5 of this Schedule.

Tribunal Procedure Rules

41 (1) The repeal of paragraph 7 of Schedule 6 to the 1998 Act (Tribunal Procedure Rules) does not affect the application of that paragraph, or of rules made under that paragraph, after the relevant time in relation to the exercise of rights of appeal conferred by section 28 or 48 of the 1998 Act, as they have effect by virtue of this Schedule.

(2) Part 3 of Schedule 18 to this Act does not apply for the purposes of Tribunal Procedure Rules made under paragraph 7(1)(a) of Schedule 6 to the 1998 Act as they apply, after the relevant time, in relation to the exercise of rights of appeal described in sub-paragraph (1).

(3) In this paragraph, “the relevant time” means the time when the repeal of paragraph 7 of Schedule 6 to the 1998 Act comes into force.

Obstruction etc

42 (1) The repeal of paragraph 8 of Schedule 6 to the 1998 Act (obstruction etc in proceedings before the Tribunal) does not affect the application of that paragraph after the relevant time in relation to an act or omission in relation to proceedings under the 1998 Act (including as it has effect by virtue of this Schedule).

(2) In this paragraph, “the relevant time” means the time when the repeal of paragraph 8 of Schedule 6 to the 1998 Act comes into force.

Enforcement etc under the 2014 Regulations

43 (1) The references in the preceding paragraphs of this Part of this Schedule to provisions of the 1998 Act include those provisions as applied, with modifications, by regulation 51 of the 2014 Regulations (other functions of the Commissioner).

(2) The revocation of regulation 51 of the 2014 Regulations does not affect the application of those provisions of the 1998 Act (as so applied) as described in those paragraphs.

PART 8

ENFORCEMENT ETC UNDER THIS ACT

Information notices

44 In section 142 of this Act—
   (a) the reference to an offence under section 143 of this Act includes an offence under section 47 of the 1998 Act (including as it has effect by virtue of this Schedule), and
   (b) the references to an offence under this Act include an offence under the 1998 Act (including as it has effect by virtue of this Schedule) or the 1984 Act.

Powers of entry

45 In paragraph 16 of Schedule 15 to this Act (powers of entry: self-incrimination), the reference to an offence under paragraph 15 of that Schedule includes an offence under paragraph 12 of Schedule 9 to the 1998 Act (including as it has effect by virtue of this Schedule).

Tribunal Procedure Rules

46 (1) Tribunal Procedure Rules made under paragraph 7(1)(a) of Schedule 6 to the 1998 Act (appeal rights under the 1998 Act) and in force immediately before the relevant time have effect after that time as if they were also made under section 194 of this Act.

(2) In this paragraph, “the relevant time” means the time when the repeal of paragraph 7(1)(a) of Schedule 6 to the 1998 Act comes into force.

PART 9

OTHER ENACTMENTS

Powers to disclose information to the Commissioner

47 (1) The following provisions (as amended by Schedule 18 to this Act) have effect after the relevant time as if the matters they refer to included a matter in respect of which the Commissioner could exercise a power conferred by a provision of Part 5 of the 1998 Act, as it has effect by virtue of this Schedule—
   (a) section 11AA(1)(a) of the Parliamentary Commissioner Act 1967 (disclosure of information by Parliamentary Commissioner);
   (b) sections 33A(1)(a) and 34O(1)(a) of the Local Government Act 1974 (disclosure of information by Local Government Commissioner);
   (c) section 18A(1)(a) of the Health Service Commissioners Act 1993 (disclosure of information by Health Service Commissioner);
   (d) paragraph 1 of the entry for the Information Commissioner in Schedule 5 to the Scottish Public Services Ombudsman Act 2002 (asp 11) (disclosure of information by the Ombudsman);
   (e) section 34X(3)(a) of the Public Services Ombudsman (Wales) Act 2005 (disclosure of information by the Ombudsman);
   (f) section 18(6)(a) of the Commissioner for Older People (Wales) Act 2006 (disclosure of information by the Commissioner);
   (g) section 22(3)(a) of the Welsh Language (Wales) Act 2006 (disclosure of information by the Welsh Language Commissioner);
   (h) section 49(3)(a) of the Public Services Ombudsman Act (Northern Ireland) 2016 (c. 4 (N.I.)) (disclosure of information by the Ombudsman);
   (i) section 44(3)(a) of the Justice Act (Northern Ireland) 2016 (c. 21 (N.I.)) (disclosure of information by the Prison Ombudsman for Northern Ireland).

(2) The following provisions (as amended by Schedule 18 to this Act) have effect after the relevant time as if the matters they refer to included an offence under any provision of the 1998 Act other than paragraph 12 of Schedule 9 to that Act (obstruction of execution of warrant)—
   (a) section 11AA(1)(b) of the Parliamentary Commissioner Act 1967;
   (b) sections 33A(1)(b) and 34O(1)(b) of the Local Government Act 1974;
   (c) section 18A(1)(b) of the Health Service Commissioners Act 1993;
   (d) paragraph 2 of the entry for the Information Commissioner in Schedule 5 to the Scottish Public Services Ombudsman Act 2002 (asp 11);
   (e) section 34X(5) of the Public Services Ombudsman (Wales) Act 2005 (disclosure of information by the Ombudsman).
(f) section 18(8) of the Commissioner for Older People (Wales) Act 2006;

(g) section 22(5) of the Welsh Language (Wales) Measure 2011 (nawm 1);

(h) section 49(5) of the Public Services Ombudsman Act (Northern Ireland) 2016 (c. 4 (N.I.));

(i) section 44(3)(b) of the Justice Act (Northern Ireland) 2016 (c. 21 (N.I.)).

(3) In this paragraph, “the relevant time”, in relation to a provision of a section or Schedule listed in sub-paragraph (1) or (2), means the time when the amendment of the section or provision of a section or Schedule listed in sub-paragraph (1) or (2) comes into force.

Codes etc required to be consistent with the Commissioner’s data-sharing code

48 (1) This paragraph applies in relation to the code of practice issued under each of the following provisions—

(a) section 19AC of the Registration Service Act 1953 (code of practice about disclosure of information by civil registration officials);

(b) section 43 of the Digital Economy Act 2017 (code of practice about disclosure of information to improve public service delivery);

(c) section 52 of that Act (code of practice about disclosure of information to reduce debt owed to the public sector);

(d) section 60 of that Act (code of practice about disclosure of information to combat fraud against the public sector);

(e) section 70 of that Act (code of practice about disclosure of information for research purposes).

(2) During the relevant period, the code of practice does not have effect to the extent that it is inconsistent with the code of practice prepared under section 121 of this Act (data-sharing code) and issued under section 124(4) of this Act (as altered or replaced from time to time).

(3) In this paragraph, “the relevant period”, in relation to a code issued under a section mentioned in sub-paragraph (1), means the period—

(a) beginning when the amendments of that section in Schedule 18 to this Act come into force, and

(b) ending when the code is first reissued under that section.

49 (1) This paragraph applies in relation to the original statement published under section 45E of the Statistics and Registration Service Act 2007 (statement of principles and procedures in connection with access to information by the Statistics Board).

(2) During the relevant period, the statement does not have effect to the extent that it is inconsistent with the code of practice prepared under section 121 of this Act (data-sharing code) and issued under section 124(4) of this Act (as altered or replaced from time to time).

(3) In this paragraph, “the relevant period” means the period—

(a) beginning when the amendments of section 45E of the Statistics and Registration Service Act 2007 in Schedule 18 to this Act come into force, and

(b) ending when the first revised statement is published under that section.

Consumer Credit Act 1974

50 In section 159(1)(a) of the Consumer Credit Act 1974 (correction of wrong information) (as amended by Schedule 18 to this Act), the reference to information given under Article 15(1) to (3) of the GDPR includes information given at any time under section 7 of the 1998 Act.

Freedom of Information Act 2000

51 Paragraphs 52 to 55 make provision about the Freedom of Information Act 2000 (“the 2000 Act”).

52 (1) This paragraph applies where a request for information was made to a public authority under the 2000 Act before the relevant time.

(2) To the extent that the request is dealt with after the relevant time, the amendments of sections 2 and 40 of the 2000 Act in Schedule 18 to this Act have effect for the purposes of determining whether the authority dealt with the request in accordance with Part 1 of the 2000 Act.

(3) To the extent that the request was dealt with before the relevant time—

(a) the amendments of sections 2 and 40 of the 2000 Act in Schedule 18 to this Act do not have effect for the purposes of determining whether the authority dealt with the request in accordance with Part 1 of the 2000 Act, but

(b) the powers of the Commissioner and the Tribunal, on an application or appeal under the 2000 Act, do not include power to require the authority to take steps which it would not be required to take in order to comply with Part 1 of the 2000 Act as amended by Schedule 18 to this Act.

(4) In this paragraph—

“public authority” has the same meaning as in the 2000 Act;

“the relevant time” means the time when the amendments of sections 2 and 40 of the 2000 Act in Schedule 18 to this Act come into force.

53 (1) Tribunal Procedure Rules made under paragraph 7(1)(b) of Schedule 6 to the 1998 Act (appeal rights under the 2000 Act) and in force immediately before the relevant time have effect after that time as if they were also made under section 61 of the 2000 Act (as inserted by Schedule 18 to this Act).

(2) In this paragraph, “the relevant time” means the time when the repeal of paragraph 7(1)(b) of Schedule 6 to the 1998 Act comes into force.

54 (1) The repeal of paragraph 8 of Schedule 6 to the 1998 Act (obstruction etc in proceedings before the Tribunal) does not affect the application of that paragraph after the relevant time in relation to an act or omission before that time in relation to an appeal under the 2000 Act.

(2) In this paragraph, “the relevant time” means the time when the repeal of paragraph 8 of Schedule 6 to the 1998 Act comes into force.

55 (1) The amendment of section 77 of the 2000 Act in Schedule 18 to this Act (offence of altering etc record with intent to prevent disclosure: omission of reference to section 7 of the 1998 Act) does not affect the application of that section after the relevant time in relation to a case in which—

(a) the request for information mentioned in section 77(1) of the 2000 Act was made before the relevant time, and

(b) when the request was made, section 77(1)(b) of the 2000 Act was satisfied by virtue of section 7 of the 1998 Act.

(2) In this paragraph, “the relevant time” means the time when the repeal of section 7 of the 1998 Act comes into force.

Freedom of Information (Scotland) Act 2002

56 (1) This paragraph applies where a request for information was made to a Scottish public authority under the Freedom of Information (Scotland) Act 2002 (“the 2002 Act”) before the relevant time.

(2) To the extent that the request is dealt with after the relevant time, the amendments of the 2002 Act in Schedule 18 to this Act have effect for the purposes of determining whether the authority dealt with the request in accordance with Part 1 of the 2002 Act.
(3) To the extent that the request was dealt with before the relevant time—

(a) the amendments of the 2002 Act in Schedule 18 to this Act do not have effect for the purposes of determining whether the authority dealt with the request in accordance with Part 1 of the 2002 Act, but

(b) the powers of the Scottish Information Commissioner and the Court of Session, on an application or appeal under the 2002 Act, do not include power to require the authority to take steps which it would not be required to take in order to comply with Part 1 of the 2002 Act as amended by Schedule 18 to this Act.

(4) In this paragraph—

“Scottish public authority” has the same meaning as in the 2002 Act;

“the relevant time” means the time when the amendments of the 2002 Act in Schedule 18 to this Act come into force.


57 Until the first regulations under Article 5(4)(a) of the Access to Health Records (Northern Ireland) Order 1993 (as amended by Schedule 18 to this Act) come into force, the maximum amount of a fee that may be required for giving access under that Article is £10.


58 (1) The repeal of a provision of the 1998 Act does not affect its operation for the purposes of the Privacy and Electronic Communications (EC Directive) Regulations 2003 (“the PECR 2003”) (see regulations 2, 31 and 31B of, and Schedule 1 to, those Regulations).

(2) Where subordinate legislation made under a provision of the 1998 Act is in force immediately before the repeal of that provision, neither the revocation of the subordinate legislation nor the repeal of the provision of the 1998 Act affect the application of the subordinate legislation for the purposes of the PECR 2003 after that time.

(3) Part 3 of Schedule 18 to this Act (modifications) does not have effect in relation to the PECR 2003.

(4) Part 7 of this Schedule does not have effect in relation to the provisions of the 1998 Act as applied by the PECR 2003.

Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (S.I. 2003/431 (N.I. 4))

59 Part 3 of Schedule 18 to this Act (modifications) does not have effect in relation to the reference to an accessible record within the meaning of section 68 of the 1998 Act in regulation 43 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

Environmental Information Regulations 2004 (S.I. 2004/3391)

60 (1) This paragraph applies where a request for information was made to a public authority under the Environmental Information Regulations 2004 (“the 2004 Regulations”) before the relevant time.

(2) To the extent that the request is dealt with after the relevant time, the amendments of the 2004 Regulations in Schedule 18 to this Act have effect for the purposes of determining whether the authority dealt with the request in accordance with those Regulations, but

(a) the amendments of the 2004 Regulations in Schedule 18 to this Act do not have effect for the purposes of determining whether the authority dealt with the request in accordance with Parts 2 and 3 of those Regulations;

(b) the powers of the Commissioner and the Tribunal, on an application or appeal under the 2000 Act (as applied by the 2004 Regulations), do not include power to require the authority to take steps which it would not be required to take in order to comply with Parts 2 and 3 of those Regulations, but

(c) the powers of the Tribunal, on an application or appeal under the 2000 Act, do not include power to require the authority to take steps which it would not be required to take in order to comply with Parts 2 and 3 of those Regulations.

(3) To the extent that the request was dealt with before the relevant time—

(a) the amendments of the 2004 Regulations in Schedule 18 to this Act do not have effect for the purposes of determining whether the authority dealt with the request in accordance with Parts 2 and 3 of those Regulations as amended by Schedule 18 to this Act.

(b) the powers of the Scottish Information Commissioner and the Court of Session, on an application or appeal under the 2004 Regulations, do not include power to require the authority to take steps which it would not be required to take in order to comply with Parts 2 and 3 of those Regulations as amended by Schedule 18 to this Act.

(4) In this paragraph—

“public authority” has the same meaning as in the 2004 Regulations;

“the relevant time” means the time when the amendments of the 2004 Regulations in Schedule 18 to this Act come into force.

Environmental Information (Scotland) Regulations 2004 (S.S.I. 2004/520)

61 (1) This paragraph applies where a request for information was made to a Scottish public authority under the Environmental Information (Scotland) Regulations 2004 (“the 2004 Regulations”) before the relevant time.

(2) To the extent that the request is dealt with after the relevant time, the amendments of the 2004 Regulations in Schedule 18 to this Act have effect for the purposes of determining whether the authority deals with the request in accordance with those Regulations.

(3) To the extent that the request was dealt with before the relevant time—

(a) the amendments of the 2004 Regulations in Schedule 18 to this Act do not have effect for the purposes of determining whether the authority dealt with the request in accordance with those Regulations, but

(b) the powers of the Scottish Information Commissioner and the Court of Session, on an application or appeal under the 2002 Act (as applied by the 2004 Regulations), do not include power to require the authority to take steps which it would not be required to take in order to comply with those Regulations as amended by Schedule 18 to this Act.

(4) In this paragraph—

“Scottish public authority” has the same meaning as in the 2004 Regulations;

“the relevant time” means the time when the amendments of the 2004 Regulations in Schedule 18 to this Act come into force.”—(Margot James.)

This amendment inserts a Schedule making transitional, transitory and saving provision in connection with the coming into force of the Bill, including provision about subject access requests (see Part 2 of the Schedule) and about the Information Commissioner’s enforcement powers (see Parts 7 and 8 of the Schedule).

Brought up, and added to the Bill.

Schedule 1

SPECIAL CATEGORIES OF PERSONAL DATA AND CRIMINAL CONVICTIONS ETC DATA

Amendments made: 72, page 134, line 11, at end insert—

( ) a mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;”.

This amendment adds mayors of combined authorities in England to the list of elected representatives for the purposes of paragraphs 23 and 24 of Schedule 1, which authorise certain processing of special categories of personal data by such representatives.

Amendment 73, page 134, line 19, at end insert—

( ) a police and crime commissioner.”—(Margot James.)

This amendment adds police and crime commissioners established under section 1 of the Police Reform and Social Responsibility Act 2011 to the list of elected representatives for the purposes of paragraphs 23 and 24 of Schedule 1, which authorise certain processing of special categories of personal data by such representatives.
Schedule 2

EXEMPTIONS ETC FROM THE GDPR

Amendment proposed: 15, page 141, line 17, leave out paragraph 4.—(Tom Watson.)

The House divided: Ayes 282, Noes 310.

Division No. 155] [6.27 pm

**AYES**

Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lym
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Caddick, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martin
De Cordova, Marsha
De Piero, Gloria
Dent, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Dowd, Peter
Drew, Dr David
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elman, Mrs Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frit, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Gillan, Mary
Godsiff, Mr Roger
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendy, Drew
Heptburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hiller, Meg
Hobhouse, Wera
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 P.
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Azfal
Kilien, Ged
Kinnoch, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Lindon, 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, Rachaél
Matheson, Christian
Mc Nally, John
McCabe, Steve
McDonald, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
Mclnnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorran, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Morgan, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
O’Mara, Jared
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
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Rodd, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Shehman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
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
Tami, Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thomberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Twigg, Derek
Twigg, Stephen
Twist, Liz
Tellers for the Ayes: Thangam Debbonaire and Fiona Onasanya

NOES

Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davies, Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dodd, Mr Nick
Donaldson, Sir Jeffrey M.
Donelan, Michelle
Donnes, Ms Nadine
Double, Steve
Dowden, Oliver
Doyly-Price, Jackie
Drax, Richard
Dudderidge, James
Duguid, David
Duncan, Sir Alan
Duncan Smith, Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evennett, Mr David
Fabricant, Michael
Fallon, Sir Michael
Field, Mr Mark
Ford, Vicky
Foster, Kevin
Fox, Dr Liam
Francois, Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fyshe, Mr Marcus
Gale, Sir Roger
Garner, Mark
Gauke, Mr David
Ghani, Ms Nusrat
Gibb, Mr Nick
Gillan, Mr David
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, Mr Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, Mr Chris
Green, Chris
Green, Mr David
Greening, Mr Justine
Grieve, Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Halfon, Mr Robert
Hali, Luke
Hammond, Stephen
Hancock, Mr Matt
Hands, Mr Greg
Harper, Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, Mr John
Heald, Mr Sir Oliver
Heappey, James
Heaton-Harris, Mr Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, Mr Nick
Hinds, Mr Damian
Hoare, Simon
Hunt, Mr Jeremy
Hurd, Mr Nick
Jack, Mr Alister
James, Margot
Javid, Mr Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Mr Boris
Johnson, Dr Caroline
Johnson, Mr Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, Mr Sir Greg
Knight, Julian
Kiwarteng, Kwasi
Lamont, John
Lancaster, Dr Mark
Latham, Mrs Pauline
Leadsom, Mr Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, Sir Oliver
Lewer, Andrew
Lewis, Mr Brandon
Lewis, Dr Julian
Liddell-Grainger, Mr Ian
Liddington, Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit

Mann, Scott
Masterton, Paul
May, Mr Mrs Theresa
McLoughlin, Mr Sir Patrick
McPartland, Stephen
McVey, Mr Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalf, Stephen
Miller, Mr Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, Mr Anne
Mitchell, Mr Andrew
Moore, Damien
Mordaunt, Mr Penny
Morgan, Mr Nicky
Morris, Anne Marie
Morris, James
Morton, Wendy
Mundell, Mr David
Murray, Ms Sheryl
Murrison, Dr Andrew
Neal, Robert
Newton, Sarah
Nokes, Mr Caroline
Norman, Jesse
O’Brien, Neil
Offord, Mr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, Mr Priti
Paterson, Mr Mrs Owen
Pawsey, Mark
Penning, Mr Mike
Penrose, John
Percy, Andrew
Perry, Mr Claire
Philp, Mr Chris
Pincher, Mr Christopher
Prentis, Victoria
Prisk, Mr Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, Mr John
Rees-Mogg, Mr Jacob
Roberts, Mr Laurence
Robinson, Mr Gavin
Robinson, Mr Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, Mr Amber
Rutley, David
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, Mr Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, Mr Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Mr Henry
Smith, Mr Julian
Smith, Mr Royston
Clause 198 (territorial application) in Public Bill Committee.

This amendment is consequential on amendments made to provision about the territorial application of the applied GDPR.

This amendment amends paragraph 8 of Schedule 6 which makes were omitted—

have effect for the purposes of that Act but as if the following from beginning to end of line 3 on page 178 and

in Part 4 of Schedule 2 to include information in respect of which a

(b) information in respect of which a duty of confidentiality is owed by a professional legal adviser to a client of the adviser."

—(Margot James.)

This amendment extends the legal professional privilege exemption in Schedule 11 to include information in respect of which a duty of confidentiality is owed by a professional legal adviser to a client of the adviser. See also Amendment 139.

Schedule 12

THE INFORMATION COMMISSIONER

Amendment made: 76, page 200, line 32, after “fees” insert , or charges, penalties—

"(b) information in respect of which a duty of confidentiality is owed by a professional legal adviser to a client of the adviser.

This amendment extends the legal professional privilege exemption in Part 4 of Schedule 2 to include information in respect of which a duty of confidentiality is owed by a professional legal adviser to a client of the adviser. See also Amendment 140.

Schedule 6

THE APPLIED GDPR AND THE APPLIED CHAPTER 2

Amendments made: 74, page 177, line 31, leave out from beginning to end of line 3 on page 178 and insert—

“(none) ‘Sections (1), (2) and (7) of section 198 of the 2018 Act have effect for the purposes of this Regulation as they have effect for the purposes of that Act but as if the following were omitted—

(a) in subsection (1), the reference to subsection (3), and

(b) in subsection (7), the words following paragraph (d).’”

This amendment amends paragraph 8 of Schedule 6 which makes provision about the territorial application of the applied GDPR. This amendment is consequential on amendments made to Clause 198 (territorial application) in Public Bill Committee.

Amendment 75, page 185, line 43, leave out “182” and insert—

“(Post-review powers to make provision about representation of data subjects)”.—(Margot James.)

This amendment is consequential on Amendment 63 and NC16.

Schedule 11

OTHER EXEMPTIONS UNDER PART 4

Amendment made: 140, page 197, line 2, at end insert 

“or (b) information in respect of which a duty of confidentiality is owed by a professional legal adviser to a client of the adviser.”

—(Margot James.)

This amendment extends the legal professional privilege exemption in Schedule 11 to include information in respect of which a duty of confidentiality is owed by a professional legal adviser to a client of the adviser. See also Amendment 139.

Schedule 13

OTHER GENERAL FUNCTIONS OF THE COMMISSIONER

Amendment made: 77, page 202, line 12, at end insert—

“(2) Section 3(14)(c) does not apply to the reference to personal data in sub-paragraph (1)(h).” —(Margot James.)

This amendment secures that the reference to personal data in paragraph 4(2) of Schedule 2 to include information in respect of which a duty of confidentiality is owed by a professional legal adviser to a client of the adviser. See also Amendment 140.

Schedule 15

POWERS OF ENTRY AND INSPECTION

Amendments made: 78, page 205, line 19, , after “if” insert “a judge of the High Court,”

This amendment and Amendments 80 and 86 enable a judge of the High Court or, in Scotland, a judge of the Court of Session to deal with an application for a warrant made by the Information Commissioner under Schedule 15.

Amendment 79, page 205, line 28, at end insert—

“or is capable of being viewed using equipment on such premises”.

This amendment enables a warrant to be granted in respect of premises where evidence of a failure or offence can be viewed using equipment on the premises, not just where such evidence is to be found on the premises.

Amendment 80, page 205, line 31, after “if” insert “a judge of the High Court.”

See the explanatory statement for Amendment 78.

Amendment 81, page 206, line 41, at end insert—

“( ) to require any person on the premises to provide, in an appropriate form, a copy of information capable of being viewed using equipment on the premises which may be evidence of that failure or offence,”
This amendment and Amendments 83 and 85 require a warrant in respect of premises to authorise the Commissioner to require a person to provide a copy of information capable of being viewed using equipment on the premises.

Amendment 82, page 206, line 43, after “premises” insert—

“and of any information capable of being viewed using equipment on the premises”.

This amendment and Amendment 84 require a warrant in respect of premises to authorise the Commissioner to provide an explanation of information capable of being viewed using equipment on the premises.

Amendment 83, page 207, line 8, at end insert—

“( ) to require any person on the premises to provide, in an appropriate form, a copy of information capable of being viewed using equipment on the premises which may enable the Commissioner to make such a determination.”

See the explanatory statement for Amendment 81.

Amendment 84, page 207, line 10, after “premises” insert—

“( ) For the purposes of this paragraph, a copy of information is in an “appropriate form” if —

(a) it can be taken away, and

(b) it is visible and legible or it can readily be made visible and legible.”

See the explanatory statement for Amendment 82.

Amendment 85, page 207, line 18, at end insert—

“( ) References to a judge of the High Court have effect as if they were references to a judge of the Court of Session,” — (Margot James.)

See the explanatory statement for Amendment 78.

Schedule 17

RELEVANT RECORDS

Amendments made: 87, page 214, line 22, at end insert—

“( ) the Department of Justice in Northern Ireland;”

See the explanatory statement for Amendment 89.

Amendment 88, page 214, line 42, at end insert—

“Part 5 of the Police Act 1997,”

(i) Part 5 of the Police Act 1997,”

This amendment provides that the Secretary of State’s functions under Part 5 of the Police Act 1997 are “relevant functions” for the purposes of paragraph 4 of Schedule 17 (relevant records relating to statutory functions).

Amendment 89, page 215, line 6, at end insert—

“( ) In relation to the Department of Justice in Northern Ireland, the ‘relevant functions’ are its functions under Part 5 of the Police Act 1997.”

This amendment and Amendment 87 provide that the Department of Justice in Northern Ireland’s functions under Part 5 of the Police Act 1997 are “relevant functions” for the purposes of paragraph 4 of Schedule 17 (relevant records relating to statutory functions).

Amendment 90, page 215, line 8, after “under” insert

“( ) Part 5 of the Police Act 1997, or

(b) ”

This amendment provides that the Scottish Ministers’ functions under Part 5 of the Police Act 1997 are “relevant functions” for the purposes of paragraph 4 of Schedule 17 (relevant records relating to statutory functions).

Amendment 91, page 215, line 11, at end insert—

“( ) Part 5 of the Police Act 1997,” — (Margot James.)

This amendment provides that the Disclosure and Barring Service’s functions under Part 5 of the Police Act 1997 are “relevant functions” for the purposes of paragraph 4 of Schedule 17 (relevant records relating to statutory functions).

Schedule 18

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: 92, page 216, line 1, leave out sub-paragraph (2) and insert—

“( ) In subsection (2), for ‘issued under section 52B (data-sharing code) of the Data Protection Act 1998’ substitute ‘prepared under section 121 of the Data Protection Act 2018 (data-sharing code) and issued under section 124(4) of that Act’.”

This amendment replaces a consequential amendment of section 19AC of the Registration Service Act 1953. The new wording makes clear that the code referred to is the data-sharing code prepared under Clause 121 and issued under Clause 124(4).

Amendment 93, page 216, line 29, leave out “160” and insert—

“(Applications in respect of urgent notices)’

This amendment amends a consequential amendment to the Parliamentary Commissioner Act 1967 and is consequential on NC15.

Amendment 94, page 217, line 2, leave out “160” and insert—

“(Applications in respect of urgent notices)’

This amendment amends a consequential amendment to the Local Government Act 1974 and is consequential on NC15.

Amendment 95, page 217, line 17, leave out “160” and insert—

“(Applications in respect of urgent notices)’

This amendment amends a consequential amendment to the Local Government Act 1974 and is consequential on NC15.

Amendment 96, page 223, line 38, leave out “160” and insert—

“(Applications in respect of urgent notices)’

This amendment amends a consequential amendment to the Health Service Commissioners Act 1993 and is consequential on NC15.

Amendment 97, page 224, line 12, at end insert—

“, with the exception of section 62 and paragraphs 13, 15, 16, 18 and 19 of Schedule 15 (which amend other enactments)”.

This amendment provides that certain provisions of the Data Protection Act 1998, which amend other enactments, are not to be repealed.

Amendment 98, page 231, line 19, , leave out “160” and insert—

“(Applications in respect of urgent notices)’

This amendment amends a consequential amendment to the Scottish Public Services Ombudsman Act 2002 and is consequential on NC15.

Amendment 99, page 236, line 2, leave out “160” and insert—

“(Applications in respect of urgent notices)’

This amendment amends a consequential amendment to the Public Services Ombudsman (Wales) Act 2005 and is consequential on NC15.
Amendment 100, page 236, line 36, leave out “160” and insert—
“(Applications in respect of urgent notices)"

This amendment amends a consequential amendment to the Commissioner for Older People (Wales) Act 2006 and is consequential on NC15.

Amendment 101, page 239, line 34, leave out sub-paragraph (2) and insert—
“( ) In subsection (6), for ‘issued under section 52B (data-sharing code) of the Data Protection Act 1998’ substitute ‘prepared under section 121 of the Data Protection Act 2018 (data-sharing code) and issued under section 124(4) of that Act’.”

This amendment replaces a consequential amendment of section 45E of the Statistics and Registration Service Act 2007. The new wording makes clear that the code referred to is the data-sharing code prepared under Clause 121 and issued under Clause 124(4).

Amendment 102, page 245, line 2, leave out “160” and insert—
“(Applications in respect of urgent notices)”

This amendment amends a consequential amendment to the Welsh language text of the Welsh Language (Wales) Measure 2011 and is consequential on NC15.

Amendment 103, page 245, line 6, leave out “160” and insert—
“(Applications in respect of urgent notices)”

This amendment amends a consequential amendment to the Welsh language text of the Welsh Language (Wales) Measure 2011 and is consequential on NC15.

Amendment 104, page 252, line 9, leave out “160” and insert—
“(Applications in respect of urgent notices)”

This amendment amends a consequential amendment to the Public Services Ombudsman Act (Northern Ireland) 2016 and is consequential on NC15.

Amendment 105, page 253, line 9, leave out “160” and insert—
“(Applications in respect of urgent notices)”

This amendment amends a consequential amendment to the Justice Act (Northern Ireland) 2016 and is consequential on NC15.

Amendment 106, page 254, line 23, leave out sub-paragraph (2) and insert—
“( ) In subsection (2), for ‘issued under section 52B (data-sharing code) of the Data Protection Act 1998’ substitute ‘prepared under section 121 of the Data Protection Act 2018 (data-sharing code) and issued under section 124(4) of that Act’.”

This amendment replaces a consequential amendment of section 43 of the Digital Economy Act 2017. The new wording makes clear that the code referred to is the data-sharing code prepared under Clause 121 and issued under Clause 124(4).

Amendment 107, page 254, line 37, leave out sub-paragraph (2) and insert—
“( ) In subsection (2), for ‘issued under section 52B (data-sharing code) of the Data Protection Act 1998’ substitute ‘prepared under section 121 of the Data Protection Act 2018 (data-sharing code) and issued under section 124(4) of that Act’.”

This amendment replaces a consequential amendment of section 60 of the Digital Economy Act 2017. The new wording makes clear that the code referred to is the data-sharing code prepared under Clause 121 and issued under Clause 124(4).

Amendment 109, page 255, line 28, leave out sub-paragraph (2) and insert—
“( ) In subsection (2), for ‘issued under section 52B (data-sharing code) of the Data Protection Act 1998’ substitute ‘prepared under section 121 of the Data Protection Act 2018 (data-sharing code) and issued under section 124(4) of that Act’.”

This amendment replaces a consequential amendment of section 70 of the Digital Economy Act 2017. The new wording makes clear that the code referred to is the data-sharing code prepared under Clause 121 and issued under Clause 124(4).

Amendment 110, page 257, line 12, at end insert—

| “Section (Destroying or falsifying information and documents etc)” |
| Destroying or falsifying information and documents etc |

This amendment amends a consequential amendment to the Estate Agents (Specified Offences) (No. 2) Order 1991 to include a reference to the offence in NC14.

Amendment 111, page 260, line 8, at end insert—

238A The Data Protection (Corporate Finance Exemption) Order 2000 is revoked.

Data Protection (Conditions under Paragraph 3 of Part II of Schedule 1) Order 2000 (S.I. 2000/185)

238B The Data Protection (Conditions under Paragraph 3 of Part II of Schedule 1) Order 2000 is revoked.

Data Protection (Functions of Designated Authority) Order 2000 (S.I. 2000/186)

238C The Data Protection (Functions of Designated Authority) Order 2000 is revoked.


238D The Data Protection (International Co-operation) Order 2000 is revoked.

Data Protection (Subject Access) (Fees and Miscellaneous Provisions) Regulations 2000 (S.I. 2000/191)

238E The Data Protection (Subject Access) (Fees and Miscellaneous Provisions) Regulations 2000 are revoked.

Consumer Credit (Credit Reference Agency) Regulations 2000 (S.I. 2000/290)

238F In the Consumer Credit (Credit Reference Agency) Regulations 2000, regulation 4(1) and Schedule 1 (statement of rights under section 9(3) of the Data Protection Act 1998) are revoked.

Data Protection (Subject Access Modification) (Health) Order 2000 (S.I. 2000/413)

238G The Data Protection (Subject Access Modification) (Health) Order 2000 is revoked.

Data Protection (Subject Access Modification) (Education) Order 2000 (S.I. 2000/414)

238H The Data Protection (Subject Access Modification) (Education) Order 2000 is revoked.


238I The Data Protection (Subject Access Modification) (Social Work) Order 2000 is revoked.


Data Protection (Processing of Sensitive Personal Data) Order 2000 (S.I. 2000/417)

238K The Data Protection (Processing of Sensitive Personal Data) Order 2000 is revoked.

Data Protection (Miscellaneous Subject Access Exemptions) Order 2000 (S.I. 2000/419)

238L The Data Protection (Miscellaneous Subject Access Exemptions) Order 2000 is revoked.

Data Protection (Designated Codes of Practice) (No. 2) Order 2000 (S.I. 2000/1864)

238M The Data Protection (Designated Codes of Practice) (No. 2) Order 2000 is revoked.

This amendment revokes a number of Orders and regulations made under Parts 1, 2, 4 and 6 of the Data Protection Act 1998.

Amendment 112, page 264, line 15, at end insert—

276A The Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002 is revoked.


276B The Privacy and Electronic Communications (EC Directive) Regulations 2003 are amended as follows.

276C In regulation 2(1) (interpretation), in the definition of “the Information Commissioner” and “the Commissioner”, for “section 6 of the Data Protection Act 1998” substitute “the Data Protection Act 2018”.

276D (1) Regulation 4 (relationship between these Regulations and the Data Protection Act 1998) is amended as follows.

(2) The existing text becomes sub-paragraph (1).

(3) In that sub-paragraph, for “the Data Protection Act 1998” substitute “the data protection legislation”.

(4) After that sub-paragraph insert—
“(2) In this regulation—
“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);
“personal data” and “processing” have the same meaning as in Parts 5 to 7 of that Act (see section 3(2), (4) and (14) of that Act).”

(3) Regulation 2(2) and (3) (meaning of certain expressions) do not apply for the purposes of this regulation.

(5) In the heading of that regulation, for “the Data Protection Act 1998” substitute “the data protection legislation”.

This amendment revokes an Order made under paragraph 10 of Schedule 3 to the Data Protection Act 1998.

Amendment 113, page 265, line 45, at end insert—

286A In regulation 3(1) of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, omit “the appropriate limit referred to in section 9A(3) and (4) of the 1998 Act and”.


Amendment 114, page 273, line 19, at end insert—
“Data Protection (Processing of Sensitive Personal Data) Order 2006 (S.I. 2006/2608)”

302A The Data Protection (Processing of Sensitive Personal Data) Order 2006 is revoked.

This amendment revokes an Order made under paragraph 10 of Schedule 3 to the Data Protection Act 1998.

Amendment 115, page 279, line 20, at end insert—
“or section (Destroying or falsifying information and documents etc) of that Act (destroying or falsifying information and documents etc);”

This amendment amends a consequential amendment to the Companies (Disclosure of Address) Regulations 2009 to include a reference to the offence in NC14.

Amendment 116, page 280, line 10, at end insert—
“or section (Destroying or falsifying information and documents etc) of that Act (destroying or falsifying information and documents etc);”

This amendment amends a consequential amendment to the Companies (Disclosure of Address) Regulations 2009 to include a reference to the offence in NC14.

Amendment 117, page 280, line 31, at end insert—
“Data Protection (Processing of Sensitive Personal Data) Order 2009 (S.I. 2009/1811)”

321A The Data Protection (Processing of Sensitive Personal Data) Order 2009 is revoked.

This amendment revokes an Order made under paragraph 10 of Schedule 3 to the Data Protection Act 1998.

Amendment 118, page 283, line 7, at end insert—
“Data Protection (Monetary Penalties) (Maximum Penalty and Notices) Regulations 2010 (S.I. 2010/31)”

329A The Data Protection (Monetary Penalties) (Maximum Penalty and Notices) Regulations 2010 are revoked.

This amendment revokes an Order made under sections 55A and 55B of the Data Protection Act 1998.

Amendment 119, page 284, line 43, at end insert—
“Data Protection (Processing of Sensitive Personal Data) Order 2010 (S.I. 2010/910)”

338A The Data Protection (Processing of Sensitive Personal Data) Order 2010 is revoked.

This amendment revokes an Order made under section 55E of the Data Protection Act 1998.

Amendment 120, page 287, line 39, at end insert—

347A The Data Protection (Processing of Sensitive Personal Data) Order 2012 is revoked.

This amendment revokes an Order made under paragraph 10 of Schedule 3 to the Data Protection Act 1998.

Amendment 121, page 289, line 20, at end insert—

357A The Data Protection (Assessment Notices) (Designation of National Health Service Bodies) Order 2014 is revoked.

This amendment revokes an Order made under section 41A of the Data Protection Act 1998.

Amendment 122, page 290, line 9, at end insert—
“or section (Destroying or falsifying information and documents etc) of that Act (destroying or falsifying information and documents etc);”

This amendment amends a consequential amendment to the Companies (Disclosure of Date of Birth Information) Regulations 2015 to include a reference to the offence in NC14.

Amendment 123, page 293, line 11, leave out “; or”

See the explanatory statement for Amendment 124.

Amendment 124, page 293, line 14, after “notice),” insert—
“or section (Destroying or falsifying information and documents etc) of that Act (destroying or falsifying information and documents etc)”;”
Amendment 125, page 294, line 16, at end insert—

“(ea) section (Information orders) (information orders);”

This amendment applies new Clause NC13, with a modification, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 126, page 294, line 18, at end insert—

“(ga) section (Destroying or falsifying information and documents etc) (destroying or falsifying information and documents etc);”

This amendment applies new Clause NC14 for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 127, page 294, line 34, at end insert—

“(ta) section (Applications in respect of urgent notices) (applications in respect of urgent notices);

(tb) section 173 (jurisdiction);”

This amendment and Amendment 135 apply new Clause NC15 and Clause 173, with modifications, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 128, page 295, line 16, at end insert—

“(3) In that section, subsection (2) has effect as if paragraph (a) were omitted.”

This amendment is consequential on Amendment 28. It amends consequential provision applying Clause 141 of the Bill, with modifications, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 129, page 295, line 24, after “143” insert—

“(or (Destroying or falsifying information and documents etc))”

This amendment is consequential on NC14 and Amendment 126. It amends consequential provision applying Clause 142(7) of the Bill, with modifications, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 130, page 295, line 27, at beginning insert—

“(section (Destroying or falsifying information and documents etc) or”

This amendment is consequential on NC14 and Amendment 126. It amends consequential provision applying Clause 142(8) of the Bill, with modifications, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 131, page 295, line 27, at end insert—

“Modification of section (Information orders) (information orders) 4A Section (Information orders)(2)(b) has effect as if for “section141(2)(b)” there were substituted “section141(2)”.”

See the explanatory statement for Amendment 125.

Amendment 132, page 295, line 38, after “(8)” insert “(8A)”. This amendment is consequential on Amendment 38. It amends consequential provision applying Clause 144 of the Bill, with modifications, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 133, page 295, line 40, at end insert—

“(d) subsection (8A)(a) has effect as if for “as described in section146(2) or that an offence under this Act” there were substituted “to comply with the eIDAS requirements or that an offence under section 143 or (Destroying or falsifying information and documents etc) or paragraph 15 of Schedule15”.”

This amendment is consequential on Amendment 38. It amends consequential provision applying Clause 144 of the Bill for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 134, page 297, line 18, after “143” insert—

“(or (Destroying or falsifying information and documents etc))”

This amendment is consequential on NC14 and Amendment 126. It amends consequential provision applying paragraph 1 of Schedule 15 to the Bill, with modifications, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 135, page 298, line 38, at end insert—

“Modification of section173 (jurisdiction) 18A (1) Section 173 has effect as if subsections (2)(c) and (d) and (3) were omitted.

(2) Subsection (1) of that section has effect as if for “paragraphs (3) and (4)” there were substituted “subsection (4)”.”

See the explanatory statement for Amendment 127.

Amendment 136, page 299, line 9, after “143,” insert—

“(Destroying or falsifying information and documents etc)”

See the explanatory statement for Amendment 126.

Amendment 137, page 299, line 10, after “143” insert—

“(or (Destroying or falsifying information and documents etc))”

See the explanatory statement for Amendment 126.

Amendment 138, page 302, line 39, at end insert—

“Data Protection (Charges and Information) Regulations 2018 (S.I. 2018/480) 396A In regulation 1(2) of the Data Protection (Charges and Information) Regulations 2018 (interpretation), at the appropriate places insert—

“‘data controller’ means a person who is a controller for the purposes of Parts 5 to 7 of the Data Protection Act 2018 (see section3.6 and (14) of that Act);”; “‘personal data’ has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section3.2 and (14) of that Act).”.”

—(Margot James.)

This amendment makes consequential amendments to the Data Protection (Charges and Information) Regulations 2018.

Amendment 139, page 302, line 40, at end insert—

“or (Destroying or falsifying information and documents etc)”

See the explanatory statement for Amendment 126.

Amendment 132, page 295, line 38, after “(8)” insert “(8A)”. This amendment is consequential on Amendment 38. It amends consequential provision applying Clause 144 of the Bill, with modifications, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 133, page 295, line 40, at end insert—

“(d) subsection (8A)(a) has effect as if for “as described in section146(2) or that an offence under this Act” there were substituted “to comply with the eIDAS requirements or that an offence under section 143 or (Destroying or falsifying information and documents etc) or paragraph 15 of Schedule15”.”

This amendment is consequential on Amendment 38. It amends consequential provision applying Clause 144 of the Bill for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 134, page 297, line 18, after “143” insert—

“(or (Destroying or falsifying information and documents etc))”

This amendment is consequential on NC14 and Amendment 126. It amends consequential provision applying paragraph 1 of Schedule 15 to the Bill, with modifications, for the purposes of enforcing the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 and the eIDAS Regulation (defined in the 2016 Regulations).

Amendment 135, page 298, line 38, at end insert—

“Modification of section173 (jurisdiction) 18A (1) Section 173 has effect as if subsections (2)(c) and (d) and (3) were omitted.

(2) Subsection (1) of that section has effect as if for “paragraphs (3) and (4)” there were substituted “subsection (4)”.”

See the explanatory statement for Amendment 127.

Amendment 136, page 299, line 9, after “143,” insert—

“(Destroying or falsifying information and documents etc)”

See the explanatory statement for Amendment 126.

Amendment 137, page 299, line 10, after “143” insert—

“(or (Destroying or falsifying information and documents etc))”

See the explanatory statement for Amendment 126.

Amendment 138, page 302, line 39, at end insert—

“Data Protection (Charges and Information) Regulations 2018 (S.I. 2018/480) 396A In regulation 1(2) of the Data Protection (Charges and Information) Regulations 2018 (interpretation), at the appropriate places insert—

“‘data controller’ means a person who is a controller for the purposes of Parts 5 to 7 of the Data Protection Act 2018 (see section3.6 and (14) of that Act);”; “‘personal data’ has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section3.2 and (14) of that Act).”.”

—(Margot James.)

This amendment makes consequential amendments to the Data Protection (Charges and Information) Regulations 2018.

Madam Deputy Speaker (Dame Rosie Winterton): I will now suspend the House for no more than five minutes in order to make a decision about certification. The Division bells will be rung two minutes before the House resumes. Following certification, a Minister will move the appropriate consent motion, copies of which will be available in the Vote Office and will be distributed by Doorkeepers.

6.41 pm

Sitting suspended.

6.43 pm

On resuming—
Madam Deputy Speaker (Dame Rosie Winterton): I can now inform the House that I have completed certification of the Bill, as required by the Standing Order. I have confirmed the view expressed in the Speaker’s provisional certificate issued on 8 May. Copies of the final certificate will be made available in the Vote Office and on the parliamentary website.

Under Standing Order No. 83M, a consent motion is therefore required for the Bill to proceed. Copies of the motion are available in the Vote Office and on the parliamentary website, and have been made available to Members in the Chamber. Does the Minister intend to move the consent motion?

Margot James indicated assent.

The House forthwith resolved itself into the Legislative Grand Committee (England and Wales) (Standing Order No. 83M).

[DAME ROSIE WINTERTON IN THE CHAIR]

6.44 pm

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): I remind hon. Members that if there is a Division, only Members representing constituencies in England and Wales may vote. As the knife has fallen, there can be no debate.

Motion made, and Question put forthwith (Standing Order No. 83M(5)).

That the Committee consents to the following certified clauses of the Data Protection Bill [Lords]

Clauses certified under SO No. 83L(2) as relating exclusively to England and Wales and being within devolved legislative competence

Clause 190 of the Bill, as amended in Public Bill Committee (Bill 190).—(Margot James.)

Question agreed to.

The occupant of the Chair left the Chair to report the decision of the Committee (Standing Order No. 83M(6)).

The Deputy Speaker resumed the Chair; decision reported.

Pete Wishart (Perth and North Perthshire) (SNP): On a point of order, Madam Deputy Speaker. I hope the House takes the time to consider very seriously the fact that once again English Members have not had the opportunity to debate the critical issues in clause 190, which has been certified. What can you do, Madam Deputy Speaker, to ensure that English Members in the English Parliament get the opportunity to debate those critical English-only issues?

Madam Deputy Speaker (Dame Rosie Winterton): That is not a point of order.

Third Reading

Queen’s and Prince of Wales’s consent signified.

6.46 pm

Matt Hancock: I beg to move, That the Bill be now read the Third time.

What a great pleasure this is. The Bill gives people more power and control over their lives online while supporting innovation and entrepreneurship in the digital age. It will deliver real benefits across the country and help our businesses to compete and trade abroad. Strong data protection laws give customers confidence in the products and services that they buy, and that is good for business. The Bill provides a full data protection framework as we leave the EU, consistent with the general data protection regulation.

We have heard many things during our debates in the Chamber and in Committee, including concerns about small businesses. I reassure colleagues that the Information Commissioner’s Office has produced specific advice for them, as well as detailed advice for charities and local government.

The Bill provides a bespoke tech framework that is tailored to the needs of our criminal justice agencies and the intelligence services. That will protect the rights of victims, witnesses and suspects while making sure that we can tackle the changing nature of the global threats that the UK faces.

The Bill has received coverage from around the world, including Australia, the Philippines and, indeed, Suffolk. Let me be clear: the Bill is about preparing Britain for the future. As we leave the EU, the Bill sets out full spectrum data protection legislation, and I hope that the House will give it its Third Reading.

I am very grateful for the way in which the House has engaged with the Bill. I want to put on record my thanks to many people: my hon. Friend the Minister for Digital and the Creative Industries, in particular, for her sterling work day in, day out; my predecessor, who is now Northern Ireland Secretary, who worked hard with me on the Bill before her promotion; the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), for grappling with the Bill in a brand new brief; the Digital, Culture, Media and Sport Committee, whose members made many contributions; the Public Bill Committee; the Information Commissioner herself, with whom we have worked very closely on the Bill and who is a great star; and the Whips, Clerks, Committee Chairs, Mr Speaker and the Deputy Speakers. They have all been of great assistance. I also thank the Front-Bench teams of Her Majesty’s loyal Opposition, the Scottish National party and other parties for, on the whole, their highly constructive attitude to this important legislation.

The Bill that we send back to the other place has been improved in three key respects. First, we have made good on the promises made by Lord Ashton in the other place. For instance, we have delivered certainty for patient support groups—a cause passionately championed by my noble Friend Baroness Neville-Jones. We have provided reassurance for those on the frontline, safeguarding the emotional, physical and mental health of some of our most vulnerable citizens. We have legislated for a statutory review of the private enforcement provisions of the Bill, which will ensure that we leave no stone unturned in our search for strong and effective oversight of data controllers, particularly where children are concerned.

Secondly, the House has ensured that we have learned the lessons from the Cambridge Analytica scandal, which exploded during the passage of the Bill. The ongoing investigation into that is unprecedented in its scale and importance. We have increased the powers of the Information Commissioner to ensure she has enough resources. Some say that that scandal put data protection at the top of the news. Some even say it made data protection sexy. With the Bill, we can be assured that the Information Commissioner will have the powers that she needs to ensure that those who flout the law are...
held to account for their actions. I want particularly to thank the Digital, Culture, Media and Sport Committee for its proposals, which we took on board to strengthen the Bill in response to that scandal. Finally, we have ensured that when it comes to the freedom of the press, we are prepared for the future, not stuck in the past.

The Bill will give people more control over their data, support businesses in their use of data and prepare Britain for Brexit. Over a generation, the Data Protection Act 1998, which this Bill replaces, has commanded broad public consensus and cross-party support. That has been one of its strengths. I hope that this Bill will gain cross-party support on Third Reading so that no matter the debate on some of the points of detail, we will have a broad consensus behind our data protection approach here in the UK for the years to come, because that is one of the strengths of our digital economy—a digital economy that is powering ahead. I hope that the Bill can add to the fundamental underpinnings of the strength of our economy and our society for the future. I commend it to the House.

Tom Watson: I refer hon. Members to my entry in the Register of Members’ Financial Interests. I want to thank all the individuals and organisations that submitted evidence and participated in the discussions about what we all know to be a fiendishly complicated Bill. I am grateful to the Clerks, the Hansard reporters and the Doorkeepers for making the passage of the Bill possible.

Given that this is a fiendishly complicated Bill, we put forward our best team on the Public Bill Committee. I particularly thank my Labour Front-Bench colleagues—my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) and my hon. Friend the Member for Sheffield, Heeley (Louise Haigh)—who are both the brightest of their generation. I would also like to thank my hon. Friends the Members for Ogmore (Chris Elmore), for Bristol North West (Darren Jones) and for Cambridge (Daniel Zeichner), and Members of other Opposition parties, who made great contributions to the Bill. The contributions in today’s debate from my right hon. Friend the Member for Doncaster North (Edward Miliband), the right hon. and learned Member for Rushcliffe (Mr Clarke) and the hon. Member for Edinburgh West (Christine Jardine) were intelligent, wise and moving.

Our position has always been that we do not oppose the Bill. We recognise that it contains a number of measures that need to be passed into law by the end of this month, and we have never had any interest in standing in the way of the broad thrust of the Bill or most of its contents. However, we have had a number of specific concerns, and we have sought to improve some parts of the Bill. We have little time to dwell on those issues, but I would like to mention a couple.

We believe that the proposals for a data bill of rights were strong and had merit. They would have created a statutory code of enforceable rights, including the right of the individual to access all their data held or controlled by organisations and large social media companies. With our SNP colleagues, we have also debated how the Home Office will receive a wide exemption when processing the data of newcomers to this country. Given its recent record, the Home Office is not a Department to which we want to give new sweeping powers over personal data. Keeping this exemption is a continuation of the hostile environment, and we should be ashamed that it remains in the Bill.

Our biggest disappointment, however, is that we did not convince enough Members to commence part 2 of the Leveson inquiry. The victims were solemnly promised that this inquiry would be completed, and today this House has let them down. However, we consider this unfinished business, and I have to say to the Secretary of State that when he is in the twilight of his political career—careers in this place always end in such a way—he will come to regret his decision to side so stridently with the press barons against the victims.

To conclude, the Bill is necessary, but there have been missed opportunities. There has been a missed opportunity to correct the sins of the past on Leveson, and also a failure to look at how we should begin to deal with the future of data capitalism and its impact on people in the new digital age. I hope that the Government will continue to engage on these issues in the coming weeks and months, and we will continue to press them on the subject of citizens’ data rights.

Peter Heaton-Jones: It is a pleasure to be able to speak briefly at the conclusion of our proceedings on the Bill. I have followed it with interest throughout all its stages, and I had the pleasure of sitting on the Public Bill Committee. I echo what has been said about the fine contributions made by Members on both sides of the House at all stages, and I thought that the Committee was extraordinarily well conducted. I particular enjoyed my light-hearted sparring with the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), and the people at BBC Radio Essex will have been delighted that they got a disproportionate amount of airtime as a result.

This is a good Bill. Data protection is incredibly important—and increasingly so. The Bill has successfully navigated the choppy waters that are coming towards us, created by the need for the GDPR to be implemented in only about 14 days’ time. If I may say so, the Secretary of State and his entire team have navigated those waters with skill and elegance to ensure that we in the UK now have legislation that does what it needs to do as far as the GDPR is concerned, on which I congratulate them. The Government, the House and the other place have looked into this matter very carefully and rigorously, and they have arrived at what I think is a good package of measures that will do what it needs to do as far as data protection is concerned.

My interest has been in the amendments concerning press regulation, as Members on both sides of the House will remember. I believe that the House has reached the right decision on what started off as an amendment in the other place and what was set out in new clause 18 today. Not to go ahead with Leveson 2 is the right decision. However, I agree with the sentiment that we must keep the victims of what will undoubtedly still be a difficult press environment at the centre of our thinking. It is important that we have not lost the opportunity to do that, and I know the Secretary of State and his team will continue to do so, but I think we have got the balance right today.
I congratulate the whole ministerial team and all those who have taken part in these deliberations. I have followed with interest the arguments made by Members on both sides.

Matt Hancock: My hon. Friend mentioned some people he wanted to thank, and there is one other person I want to thank: my hon. Friend the Member for Chelmsford (Vicky Ford). She was involved with the development of the GDPR in the European Parliament right from the start, and I want to put on the record our thanks, and my personal thanks, for her guidance. She has lived with the Bill for far longer than anybody else in the Chamber.

Peter Heaton-Jones: Yet another mention for Essex, where people will be absolutely delighted.

This is the Government getting on with business. We promised that we would do this in our manifesto, on which we were elected, and we have got on with and delivered it. I will be delighted to see the Bill reaching the statute book. This is the Government delivering what they need to deliver, and doing it in a very rigorous, elegant and clever way. This is a digital Bill for the digital age, and I am pleased to support it.

Question put and agreed to.

Bill accordingly read the Third time and passed, with amendments.

DEFERRED DIVISIONS

Motion made, and Question put forthwith (Standing Order No. 41A(3)).

That, at this day's sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the Motion in the name of Jeremy Corbyn relating to Education (Student Support).—(Jo Churchill.)

Question agreed to.

Education (Student Support)

Madam Deputy Speaker (Dame Rosie Winterton): I must inform the House that the Speaker has certified the instrument as relating exclusively to England and being within devolved legislative competence. The motion is therefore subject to double majority voting of the whole House and those representing constituencies in England.

7 pm

Angela Rayner (Ashton-under-Lyne) (Lab): I beg to move,

That an humble Address be presented to Her Majesty, praying that the Education (Student Support) (Amendment) (No. 2) Regulations 2018 (S.I., 2018, No. 443), dated 28 March 2018, a copy of which was laid before this House on 28 March, be annulled.

I thank the Leader of the House for scheduling this debate, which marks an important moment. In this Parliament, Members have had to assert our right to decide the law of the land—a right that some Ministers have tried to avoid by denying us votes on statutory instruments. In this case, the Government let the 40-day period lapse without providing time. They have now agreed to the step, which I think may be unprecedented, of revoking their own regulations and relaying them to allow us a binding vote. Whatever the decision tonight, I hope that we have established the right of the Opposition to secure votes on the Floor of the House. The Government cannot simply legislate by the back door.

On the regulations, the Government’s actions once again seem to defy basic sense. Just last week, they rejected our motion to implement their own guarantee and manifesto commitment on school funding. Now, they are ploughing ahead with their plan to scrap bursaries for yet more nursing students, despite knowing full well the disastrous consequences that will follow.

Two years ago, the Government ignored the Opposition and those who work in the health sector when they scrapped the undergraduate bursary. The results were predictable. In 2016, before the abolition, there were more than 47,000 nursing applicants in England. In 2018, the figure fell to about 31,000—a fall of over 15,000. It is clear that this is the reason why we have seen the sharpest ever decline in nursing applications. I know what the Minister will say. He will say that the number of applications is less important than the number of acceptances; he will say that the Government have committed to create more trainee places for nurses. They promised an increase of 5,000 nursing places and said that the nursing bursary had to be scrapped to make that possible, but what have they delivered? Seven hundred fewer students training to be nurses.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Does the hon. Lady agree that what is important is that we train more nurses and that there are more applicants than the number we need to train, so that there is good competition that ensures we get the best candidates? It is not necessary to have masses more than we need; we just need enough.

Angela Rayner: I agree with the hon. Lady that we need to ensure that we have not only more applicants, but more people in training. However, 700 fewer students have been training to be nurses since 2017.
Mr Jim Cunningham (Coventry South) (Lab): Once again it is women who are being hurt, particularly adult women who have brought up a family and want to take up a new career in nursing. They are being denied that opportunity or being forced into debt.

Angela Rayner: Forced debt for students and nurses of whatever gender is a really important issue, which I will come on to. My hon. Friend is absolutely right to highlight that we need to encourage both genders to see nursing as a legitimate career.

I mentioned that there are 700 fewer students training to be nurses. That is the first fall in close to a decade.

Karen Lee (Lincoln) (Lab): Does my hon. Friend agree that the bottom line is that without applications we cannot train nurses? That is just all there is to it.

Angela Rayner: My hon. Friend is absolutely right and I congratulate her on her outstanding dedication to nursing.

The Government said that they can fill the gap with nursing apprentices. They promised 1,000 of them, yet it has now been revealed that just 30 apprentice nurses have started the course. To miss a target may be unfortunate, but to miss it by 97% and carry on regardless just seems reckless. The shortfall is not the only problem with relying entirely on apprenticeships. A nursing apprentice will take four years to become a registered nurse. Even if there is a miraculous surge in apprentices starting this summer, we would not see any new qualified nurses on our wards until 2022.

Maria Caulfield (Lewes) (Con): I am not sure the hon. Lady understands what life is like on a bursary as a student nurse. There is just £400 a month to live on. Apprentice nurses are paid. They are a member of a team and they have a guaranteed job at the end of it. That is a very different system, which is a step forward in progress towards getting more nurses into the profession.

Angela Rayner: I respect the hon. Lady and I pay tribute to her for her outstanding dedication to the NHS. I have talked about the failure to fill the vacancies in the NHS at the moment, and that is even before we consider the impact of Brexit on the 21,000 brilliant nurses who have come from EU countries to serve in our national health service. Only two months ago, the Health Secretary said that the winter crisis in our NHS was “probably...the worst ever”, but if he carries on like this, there will be worse to come.

It is one thing for Ministers to push ahead with policies against the warning of the Opposition. It is quite another for them to ignore their Departments’ impact assessments, yet that is precisely what Ministers have done. The Department for Education’s assessment of the changes to the bursary said that it would disproportionately affect women and ethnic minority students, yet Ministers have wilfully pressed ahead. Then the Department of Health and Social Care found that the change could make women, older students and students with lower incomes less likely to participate in postgraduate nursing courses. Again, Ministers pressed ahead, and we have seen the consequences not just in the number of applications, but in who has applied. Just as they were warned, the profile of our future nurses has become less representative. In particular, there has been a 42% fall in applications from mature students, yet Ministers have wilfully pressed ahead.

This is not simply a matter of fairness or even just about the benefit of a diverse workforce providing frontline care to a diverse population. Older nursing graduates are more likely to stay longer in the NHS and are more likely to choose areas such as mental health or learning disability nursing, which are facing severe staff shortages. Just yesterday, campaigners warned of the potentially disastrous consequences for care. I hope the Minister will confirm that that is not the Government’s intention.

This measure does not make any financial sense. Tuition and a bursary for a postgraduate or diploma student could cost less than the average premium the NHS pays for an agency nurse for a single year. Providers have suggested that they could expand their courses by up to 50% if funding was available. This comes at a time when there are 40,000 nursing vacancies in the NHS. The Government’s failure to fill vacancies is so severe that the Migration Advisory Committee has placed nursing on the shortage occupation list, even as potential recruits in our constituencies are denied the support that they need to serve in the NHS.

Layla Moran (Oxford West and Abingdon) (LD): Does the hon. Lady agree that in the end, the only people we must care about are the patients? In Oxfordshire, in the John Radcliffe Hospital, 170 beds were closed primarily because there was a staff nursing shortage. These measures are not going to fix the immediate problem. Why are the Government continuing to do something that is not evidence-based and will not work?

Angela Rayner: I absolutely agree with the hon. Lady. She is absolutely right to point out that all our focus has to be on making sure that the jewel in Britain’s crown—the national health service—has the qualified staff to do the job and keep our patients and loved ones safe.

I have talked about the failure to fill the vacancies in the NHS at the moment, and that is even before we consider the impact of Brexit on the 21,000 brilliant nurses who have come from EU countries to serve in our national health service. Only two months ago, the Health Secretary said that the winter crisis in our NHS was “probably...the worst ever”, but if he carries on like this, there will be worse to come.

The same is true with the nursing associates suggested by the Government as another solution. The Government’s policy is not only unfair, it is failing completely on their own terms. They have pushed ahead with a policy that has reduced the number of people training to work in our NHS and now they are trying to do it again. I should add that trainee nurses in any of these routes have to do the day job as well. I pay tribute to our nurses for the fantastic job they do every single day in our NHS. Trainee nurses do not get paid the going rate. Those affected by the regulations actually have to borrow money for the privilege.

I hope the Government are clear that simply having more trainees on wards is not a solution to staff shortages. They are there to learn their job, not to do someone else’s. There is clear evidence that using support workers or trainees as replacements for qualified nurses has
Vicky Ford (Chelmsford) (Con): The hon. Lady is making a very powerful point, but we need to be very focused with our intervention. I represent an area that has a nursing school. Although applications have dropped, we still have five applicants for every place and 30% more qualified applicants for every place, so if we are to take measures, we need to make sure that they are very targeted in the areas in which we intervene.

Angela Rayner: I absolutely agree that we have to make sure that we target interventions and make sure that they work, but part of the reason I have brought the motion before the House today is that the interventions are simply not working. Since 2017, we have 700 fewer students training to be nurses, so the impact is absolutely clear, and I hope that Government Members will support our motion.

Some universities are even looking at closing down specialist courses entirely. If today’s regulations pass, there is every reason to believe that this will get worse. Nearly two thirds of postgraduate nursing students are over 25, more than a quarter are from ethnic minorities and 83% are women, so the impact of today’s regulations will surely be even worse than the previous cuts. Even if the Government are determined to make the change, there are good reasons not to make it now. This policy would move postgraduate nursing students over to the main student finance system, which means dealing with the Student Loans Company.

There is every reason to believe that the Student Loans Company is not yet ready. In recent weeks, the Government have been dealing with an error by the company that has led to 793 nurses being hit with unexpected demands to repay accidental overpayments they were unaware of. The Government’s response was a hardship fund of up to £1,000 per student, yet the Minister for Universities, Science, Research and Innovation, the hon. Member for East Surrey (Mr Gyimah), admitted in a written answer to my hon. Friend the Member for Blackpool South (Gordon Marsden) that the majority of students were overpaid by more than £1,000 and will be left short. Perhaps when he responds, the Minister will tell us how he can possibly expect nursing students to have any faith in the system they will be stuck in.

With the Government finally embarking on their flagship review of higher education, they could have allowed this issue to be considered as part of the review before going ahead with this change today. Ministers have insisted that this change is necessary now to make how we fund training sustainable, yet there is little reason to believe that it will achieve this. The average NHS nurse earns just over £31,000 a year and the average graduate now leaves university with £50,000 of debt. A new nurse with a postgraduate qualification will take 86 years to repay their undergraduate debt on the average NHS salary—that is before we add interest—which is nearly triple the current repayment period before debt is written off, meaning they will not even begin to repay the debt. How many postgraduate students affected by this policy will repay any of, let alone all, their additional loan, and how much of that debt will simply be written off by the taxpayer in decades to come?

Rachel Maclean (Redditch) (Con): Does the hon. Lady not agree it is completely wrong to talk about debt in the way she is—in this place—as though it is some sort of credit card debt? It completely misrepresents the situation for young people from disadvantaged backgrounds thinking about going to university. Her words will be putting them off.

Angela Rayner: I am not sure it is my words that are putting people off; I would say the thought of having £50,000 of debt hanging over them for a very long time is putting people off going into education.

Karen Lee: I started my nurse training in 2000 as a single mum. When I finished, I had £15,000 of debt—and that was with a bursary. It took me five years to pay it off. People say we should not talk about debt, but we have to talk about it—debt is debt. Students come out with debate. I came out with debt. I sit here listening to people who know nothing about this talking as if they do. It simply is not true.

Angela Rayner: The passion from my hon. Friend reflects how people feel up and down the country. It is funny because we all know what happened at the general election—and the verdict was clear on the Government’s position on education and student debt and tuition. [HON. MEMBERS: “You lost!”] And of course the Government lost their majority at the same time, and I am quite sure that the weak and wobbly Prime Minister has done nothing to make anyone in the country feel more confident about her future—but I digress.

How many postgraduate students affected by this policy repay any of, let alone all, their additional loan? Will the Minister explain how this is sustainable? How much will really be saved in the long run? Or is this another example of what the Treasury Select Committee has called the fiscal illusion—in this case, of a student finance system that allows the Government to pretend they have made a saving when they are simply passing the bill down to the next generation? It is no wonder that all the devolved nations have maintained their own NHS bursaries.

Dr Caroline Johnson: The hon. Lady talked about the general election and a promise on education and education funding. Will the Labour party be keeping its education promises to repay the debts of students who have already incurred them?

Angela Rayner: I should have thought that Conservative Members would have read what was a great manifesto. They have hidden theirs now—I cannot see it, because it is hard to find—but ours was absolutely clear, and we continue to be clear about the fact that we would abolish tuition fees. The debt that our students face at the moment is the result of a tripling of student debt on the Conservatives’ watch.

I hope that Conservative Members will support our motion, not least given the financial consequences of Government cuts for their own budgets, but also because I believe that we should welcome nursing students from all over the United Kingdom. If we do so, the whole country will benefit. If the House votes for the motion, that vote will be a clear call for the Government to rethink the cuts, restore the bursary, and respect the will of the House.

A few months ago, the Health Secretary said that the NHS was “nothing without its nurses”. I support that sentiment tonight, but the sentiment without substance is not enough. I am sure that there is not a single
Member in the Chamber who would not acknowledge the urgent need for us to recruit more nurses, so I ask all Members to put their votes where their voices are. I commend the motion to the House.

7.21 pm

The Minister for Health (Stephen Barclay): I join the hon. Member for Ashton-under-Lyne (Angela Rayner) in welcoming the opportunity to discuss the increase in the number of postgraduate places that will be unlocked as a consequence of the statutory instrument. She ended her speech by saying that there was an “urgent need” to recruit more. The central premise of her opposition to a change that will remove the arbitrary cap imposed by the bursary, and hence unlock additional places for postgraduate students, seems a strange one on which to base her speech, given that we are ensuring that we can continue to increase the number of nurses that the Government have delivered through the postgraduate route, as we have through the undergraduate route.

At present, about 2,500 students gain access to nursing, midwifery and allied healthcare professions through the postgraduate route, a number that is constrained by the cap. The policy that we are discussing has already been applied to the much larger population of about 28,000 undergraduates studying the same subject. The statutory instrument will ensure consistency in the approach to both populations, while enabling both to increase their number by 25%.

This is part of a much wider package of Government measures. We are, for instance, increasing the number of apprenticeships. I know that my right hon. Friend the Member for Harlow (Robert Halfon), as Chair of the Education Committee, has repeatedly championed their importance as a route into nursing for those who do not want to go to university. Similarly, my hon. Friend the Member for Chelmsford (Vicky Ford) has campaigned repeatedly in respect of medical school places. There are five new medical schools and 1,500 new medical places, again as part of the increase in the number of nurses. We have made a commitment through “Agenda for Change”, working with the trade unions, to deliver pay increases and we have programmes such as the return to work programme, which has seen more than 4,000 former nursing staff applying to return to the profession.

Robert Halfon (Harlow) (Con): I will be supporting my hon. Friend this evening. I welcome what he said about apprentices. I think this squares the circle. We need to rocket-boost apprenticeship programmes in the NHS. I intend to say more about that in my speech, but may I ask whether he is committed to that today?

Stephen Barclay: I was just taking inspiration. Let me explain the route into nursing through apprenticeships. A four-year package will enable people who do not want to go to university—this is a point that my right hon. Friend has repeatedly made in the Education Committee—to progress to nursing roles by means of what he has often referred to as a ladder. Healthcare assistants tend to feel trapped in roles that do not give them an opportunity to progress. This is at the heart of what the Government stand for: giving people an opportunity to progress at different stages in their lives through the apprenticeship route.

Sir Desmond Swayne (New Forest West) (Con): Will my hon. Friend address the allegation that there are 700 fewer nurses in training?

Stephen Barclay: My right hon. Friend will not be surprised to learn that that is a selective picking of the facts because it does not include direct entrants, to cite just one example that was not included. I could go on, but I know the—[HON. MEMBERS: “Go on.”] It does not take account of direct entrants; that is one population that was not included. It also—

Karen Lee rose—

Stephen Barclay: Would the hon. Lady like me to go on or to give way?

Karen Lee: Would the Minister confirm the number?

Stephen Barclay: I am happy to confirm that. We now have 13,100 more nurses on wards since 2010 and we have a commitment to expand the numbers—[Interuption]

It is a new programme and we are expanding the number of apprenticeships. We have committed to 5,000 this year, expanding to 7,500.

It is interesting, is it not? Having routes that give people opportunities to progress—having different choices for people and empowering individuals, not all of whom want to go to university—so that people from different backgrounds can go into the profession is the very essence of what our party stands for. It is shame—

Dr Philippa Whitford (Central Ayrshire) (SNP): Does the Minister therefore challenge the figure of only 30 apprentices and does he recognise that with a four-year course they will not be ready until 2022, and there is a need for nurses now?

Stephen Barclay: I absolutely recognise that the apprenticeship route will take four years, but the Government have given a clear commitment to that and that is backed up by significant—[Interuption]

The UCAS figures are embargoed, so I do not have the latest figure. The point is that it is a four-year programme and it will take time to roll out, but it is backed by significant funding: the NHS is contributing £200 million to the apprenticeship levy. That is a signal of this Government’s commitment. The Minister for Apprenticeships and Skills is here, championing the apprenticeship route, as are other Members through the Select Committees. It is a shame that some Opposition Members are not reflecting on the benefits offered by apprenticeships as an alternative route into the nursing profession that will deliver more nurses. That should be welcomed.

John Howell (Henley) (Con): I think my hon. Friend the Minister has forgotten that the Minister for Education, my right hon. Friend the Member for Bognor Regis and Littlehampton (Nick Gibb), is also here, which reinforces the point that the starting point for promoting nursing is at school. Does my hon. Friend agree?

Stephen Barclay: I do agree with my hon. Friend. Indeed we have three Ministers from the Department for Education here, which again shows the Government’s joined-up approach. The NHS, as the employer of 1.5 million people, is a standard setter that can provide leadership in the apprenticeships market and looks at
doing so not just for nursing apprenticeships, but across a range of apprenticeship routes. The Minister for Apprenticeships and Skills, who is a former Minister in the Department for Health, understands that issue extremely well.

**Layla Moran:** Does the Minister really think that this needs to be an either/or? Could we not do the very good work that is going on with apprenticeships and also maintain this important bursary? Does he have something to say to the chief executive of the Royal College of Nursing, who says these changes are short-sighted? Has the RCN’s position changed?

**Stephen Barclay:** I agree with the hon. Lady that we can do both: we can have the apprenticeship route, but we can also increase the number who do postgraduate training as an entry point into the profession. It is also why we are looking to expand the number of undergraduates. This is also empowering for students because it means that, while they are undertaking their course, they will receive more funding than they would under the existing system. Under the move to the loan system, depending on the circumstances of the course, health students will typically receive up to 25% more in the financial resources available to them for living costs during the time they are at university. For example, a student without dependants living away from home could access £6,975 under the NHS bursary system, compared with £6,975 under the loans system.

**Jonathan Ashworth (Leicester South) (Lab/Co-op):** The Minister is being typically gracious in giving way. He said in his opening remarks that he wanted to unlock additional places but, according to the RCN, far from unlocking additional places, the removal of the bursary has led to a fall of 700 places on nursing degrees and a 3% decline in the number of people starting nursing courses since 2016. Is it his view that the RCN is lying?

**Stephen Barclay:** The hon. Gentleman is quoting selectively. He is right to point to 2016, because the number of nurses in training was at a record high—an achievement by this Government for which little credit has been given by the Opposition. The new system will take time to bed in, but it is important to ensure that more places are available and that there are more applicants, and that is our approach.

**Maria Caulfield:** Opposition Members seem to be portraying the bursary system as a panacea, but it was not a well-functioning system. There were more applicants than available places, and it was a real struggle for students from poorer backgrounds, such as myself, to live on £400 a month with no alternative income. The system also only catered for students with an academic background. The new apprenticeship system allows degree-entry nursing, but not necessarily through the academic route.

**Stephen Barclay:** As a nurse, my hon. Friend speaks with great authority and she is right. This is about empowering those who want to be a nurse, not all of whom want to go to university. She is also right to remind the House that many people’s ambitions are choked off by the existing system. Under the bursary system, over 30,000 people who applied to be a nurse were rejected. Too many people were being rejected, and we need more nurses, so we have a package of measures to increase the number of nursing places. Nothing has been said about those who were thwarted in that ambition. Universities, too, have consistently argued that healthcare postgraduate courses were an area prime for growth if we offered suitable loan products.

**Dr Andrew Murrison (South West Wiltshire) (Con):** The Minister is right to highlight the university sector, but has he, like me, recently visited his local further education college? If he has, I am sure that staff will have expressed the same view that I heard in Trowbridge recently: the new apprenticeship route into nursing is good for FE colleges that want to offer nurse training. Some colleges currently feel constrained because they are frozen out by universities but, in setting up such courses, colleges will be able to offer nursing to a much greater range of people than is currently the case.

**Stephen Barclay:** As a medic, my hon. Friend alights on an important point that I am happy to pick up. A number of the professions are degree entry, which precludes the further education college sector, so I will be happy to discuss that with him.

It is worth drawing to the House’s attention that it is not just universities that have been pushing for a change. Professor Dame Jessica Corner, the chair of the Council of Deans of Health, said: “Our members report receiving a high number of good quality applications for most courses and they will continue to recruit through to the summer. Where courses have historically had a large number of applicants, fewer applicants might well not affect eventual student numbers”. The key issue is not just how many people apply; it is ensuring that there are sufficient applicants for the places and then increasing the number of places on offer.

**Paul Blomfield (Sheffield Central) (Lab):** Will the Minister give way?

**Stephen Barclay:** I have given way quite a lot, so I will make a little progress.

In addressing the Opposition’s points, we have moved slightly outside the scope of the SI before the House, which concerns postgraduates, into a discussion about undergraduates, and the Chair of the Health Committee, my hon. Friend the Member for Totnes (Dr Wollaston), made the point that the postgraduate market has certain features that are distinct from the undergraduate market. In certain disciplines, such as mental health and learning and disability, some older applicants may be more risk averse about taking on a student loan, depending on when they did their first degree. If it was before 1998, they probably will not have a student loan, but let us not forget that the Labour party introduced tuition fees, so many who studied after 1998 will have a loan.

Working in conjunction with colleagues in the Department for Education, and taking some of the lessons about targeted support that have been learned in teaching, we intend to offer £10,000 golden hellos to postgraduate students in specific hard-to-recruit disciplines—mental health, learning and disability, and not just nursing—so that those disciplines often have particular recruitment difficulties. That £9.1 million package will be supplemented by a further £900,000 to mitigate a particular challenge with recruiting...
in any geographical areas. For example, if an area such as Cornwall suddenly found itself having difficulty in recruiting speech and language therapy recruits, a targeted measure—perhaps at a different quantum from £10,000—could be implemented in order to reflect those geographical issues.

Dr Sarah Wollaston (Totnes) (Con): I thank the Minister for meeting me to discuss the concerns raised by the Health Committee in our nursing workforce inquiry. As he has stated, applicants for learning disability and mental health nursing tend to be older, and those applicants are more likely to stay. They are particularly affected, so I am grateful to the Minister for listening to our concerns. Putting the needs of patients first by allowing for these targeted extra packages is very welcome.

Stephen Barclay: I am grateful for that support from the Chair of the Health Committee. Having spent four years on the Committee myself, I know the value that members of Select Committees bring to the House. The Health Committee, particularly under her chairmanship, is hugely valued in the Department. The mitigation package that has been put before the House tonight reflects the constructive engagement that we have had with the Committee. We realise the importance of having consistency between undergraduates and postgraduates, and of expanding the supply of places, but it is also important to recognise that there might be specific areas in which there are recruitment challenges, and that targeted action to mitigate those challenges is appropriate.

Vicky Ford: I thank the Minister for the announcement that he has just made. At the nursing college in Chelmsford, and also at Cambridge and Peterborough, we have 30% more qualified applicants, but there have been fewer applicants for mental health nursing. This targeted intervention will really help to address that need. Will he confirm that this will be locally based where necessary—that is, in the areas where we need the help most?

Stephen Barclay: I am happy to confirm to my hon. Friend that there will be a local element to the targeting of the package. She has been a powerful advocate in helping to secure the new medical school at Chelmsford, which will be a huge boost to the local health economy.

The statutory instrument before the House tonight is part of package being brought forward by this Government, alongside the “Agenda for Change” increase in pay and alongside our ambitions to increase the number of apprenticeships and to encourage people to return to the profession. We have already made this change for the much bigger population of 28,000 undergraduates, and it is right that we should now apply that consistently to the 2,500 postgraduates. We have a targeted measure of support to address any hard-to-recruit areas, and I therefore commend this statutory instrument to the House.

7.37 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): As the Minister says, we are here to discuss removing the bursary for postgraduate nursing students, but it would be crazy not to learn from the experience of the past two years following the removal of the undergraduate bursary in 2016. Scotland maintained that bursary, as indeed did Northern Ireland and Wales. We provide £6,500 as a bursary and up to £2,500 carers allowance for those with caring commitments, and obviously there are no tuition fees, so that saves another £9,000 a year. Our students are therefore £18,000 a year better off. Only in England has the undergraduate bursary been removed and tuition fees introduced. So nurses in England will face coming out with debts of £50,000 to £60,000.

As has already been said, there has been a 33% fall in applications. Several Government Members have said that there are still plenty of applications, but what talent has been lost in that third? Exactly who are the people who are not applying for nursing because there is no longer a bursary? There has been an even bigger fall—42%—in the number of mature students applying, yet we know that mature nursing students have a much greater tendency to stay in the place where they start and to stay in nursing. We are discussing postgraduate students tonight, and the biggest advantage of postgraduate students is that they will be trained more quickly. The Minister mentioned the fact—although he did not expand on it—that postgraduates already have student loans. The idea of asking them to take on second student loan is likely to result not in a 33% or 42% drop but in an even bigger drop.

The Minister talks about the extra money that the NHS is investing, but why not invest it in attracting people to study nursing as a degree? It is fine to talk about nursing apprenticeships, but we hear that only 30 people have taken those up, and they will not be ready until 2022, so they are not a quick answer. I have nothing against the idea of nurse apprentices, but nurses are now leaders in the health service; we have advanced nurse practitioners and nurses who are managing and leading services. That requires them to be educated to degree level and to have the experience to act as leaders.

What we hear from the Royal College of Nursing is not that there are now 700 fewer nurses in total, but that 700 fewer nurses have started training through the degree course, yet all this change was meant to be about expanding that number. It has not expanded; it reduced last year. The danger is that that pattern will continue and be even more marked for postgraduate students.

In Scotland, obviously, we have maintained the bursary. Instead of a 3% fall in the number of people starting studying, we have seen an 8% rise. Indeed, we have already seen a 10% increase in the number of people signing up for nursing places this year. We all need nurses, because all four national health services are struggling with the workforce, but NHS Improvement reports that there are 36,000 vacancies in NHS England. That is catastrophic. Literally, one in 10 nursing jobs in England is empty. That is more than twice the vacancy rate we face in Scotland. This is safety issue. The Secretary of State talked about safety. This is part of what led to the junior doctors’ strike, because we are talking about avoidable deaths. Research shows that the only measure that reduces avoidable deaths in hospital is the ratio of registered nurses to patients—not healthcare assistants, auxiliaries, doctors or anyone else. This is about registered nurses actually looking after patients.

The extra places that we were told would be funded by removing the undergraduate bursary will start only this autumn, so they will not be ready until 2021. The apprentices will not be ready until 2022. Postgraduate
students starting this autumn will at least be ready in 2020. This is urgent. The NHS in England is struggling for want of nurses. They are the people who make the difference to safety. The Government should be investing in whatever will produce high-quality nurse leaders as quickly as possible, and that is postgraduates.

7.42 pm

Robert Halfon (Harlow) (Con): To achieve social justice and deal with the skills deficit, we need a skills revolution. In many sectors, we have a real skills shortage, particularly at level 4 and above. Young people are pushed towards traditional degrees, but only 52% are getting jobs after graduation that require a degree, according to the Chartered Institute of Personnel and Development. On the flipside, degree apprenticeships are just not growing fast enough, and we need to invest more in further education and skills provision.

I welcome what the Minister has said today, and I thank him for meeting me to discuss this issue. We must go further on nursing apprenticeships, which I believe are the answer to this whole problem. We can square the circle and support nurses by rapidly expanding the apprenticeship programme. Hon. Members will know that I am a passionate advocate of apprenticeships, and I therefore support the introduction of new routes into nursing, through degree apprenticeships and the creation of the nursing associate role.

Nursing degree apprentices will not have to pay anything themselves, as my hon. Friend the Member for Lewes (Maria Caulfield), a brilliant former nurse, explained. They will be able to become degree-registered nurses in four years. Similarly, the new nursing associate role will provide extra capacity in the workforce, and many of those who train as nursing associates may decide to continue to degree-level nursing.

The twin themes of the Education Committee in this Parliament are social justice and productivity. Nursing degree apprenticeships are key to both. They offer an attractive route both for mature students and for those with children, ensuring that all those who wish to train as nurses have the opportunity to do so. I am not suggesting that people should not have the choice of a three-year undergraduate course, but we must maximise the opportunities provided by degree apprenticeships. Doing so would mean that we have a sufficient nursing workforce and that aspiring nurses have options for training.

I have real worries about the fact only 30 people began training as a nurse through the nursing apprenticeship schemes this year, and we need to rapidly improve the number of people doing degree apprenticeships. There needs to be a taskforce involving the Minister for Apprenticeships and Skills, the Minister for Universities, Science, Research and Innovation, Health Ministers, the Institute for Apprenticeships and others to drive this forward and to encourage people with a proper advertising campaign, using the £200 million levy. Thirty is just not enough; we need many thousands of people. If people in my constituency and across the country knew about the schemes, they would want to take them up.

Dr Murray: Does my right hon. Friend agree that part of the way we might expand the numbers taking the apprenticeship route is to unleash the power of the further education sector? The sector now has degree-awarding powers and would be very attractive to a large number of people not just in the big urban centres but in the smaller regions, too.

Robert Halfon: Like me, my hon. Friend is a big champion of further education and understands it completely. This could be an incredible moment for our further education colleges because, along with some very good private providers, they could be leading the way in providing degree apprenticeships.

Julian Knight (Solihull) (Con): My wife was a renal nurse for 15 years, and she says that one of the key changes that happened in her time as a nurse was the university-fication of the nursing profession. Does my right hon. Friend agree that having this diverse route is a much better way to do things and brings in people from all backgrounds?

Robert Halfon: My hon. Friend is right. My hope is that, rather than 50% of all students just going to university, one day 50% of all students will be doing degree apprenticeships in all subjects, but especially in the subjects we need, particularly in coding, healthcare, science, engineering and nursing.

Dr Wollaston: I welcome my right hon. Friend’s work as Chair of the Select Committee on Education. Does he agree that we are losing too many healthcare assistants because in the past there have not been the opportunities for them to progress? These regulations are an important way to retain such a valued part of our workforce.

Robert Halfon: As so often, my hon. Friend is a mind reader. I will address her point, but of course she is right.

These jobs should not be limited to degree level; we should ensure there are apprenticeships in healthcare professions from level 3. We must have sufficient progression for those already working in the sector. The nursing associate role is a positive step that will provide opportunities for healthcare assistants to progress within the sector. From there, they could train to become registered nurses, if they wish.

Bambos Charalambous (Enfield, Southgate) (Lab): Will the right hon. Gentleman give way?

Robert Halfon: This is the last intervention because I am conscious that other people want to speak.

Bambos Charalambous: In the light of the poor recruitment to the apprenticeship schemes, does the right hon. Gentleman agree it is best to keep both routes open—the bursaries and the apprenticeship schemes—to maximise the number of people coming into the system?

Robert Halfon: I thought that initially, but I have listened to my hon. Friend the Minister’s arguments. There was previously a cap, and not everybody was able to get into the system. If we can encourage people down the apprenticeship route, they earn while they learn, there is no debt and they get a lot more than they would get if they had a bursary.
Michelle Donelan (Chippenham) (Con): Will my right hon. Friend give way?

Robert Halfon: This is genuinely the last time I give way. It is impossible to say no to my fellow member of the Education Committee.

Michelle Donelan: Further to the intervention made by my hon. Friend the Member for South West Wiltshire (Dr Murison), my constituency neighbour, I, too, met Wiltshire College last week, and it is eager to take on nursing apprenticeships. The college shows we can get past the few roadblocks, because it is already affiliated with universities in offering degrees. That is one way in which we can look positively at increasing the number of apprenticeships, rather than looking at it negatively, as we hear from the Opposition.

Robert Halfon: My hon. Friend is a remarkable member of our Committee and she is right in what she says. It is good that the Minister for Health, the Minister for School Standards, the Minister for Universities, Science, Research and Innovation and the Minister for Apprenticeships and Skills are here, because we need to unblock the roadblocks and bureaucracy and really make these things happen, so that thousands of people are doing this, not just 30.

We need to ensure that we are making the progression as smooth as possible. Our Committee is concluding its inquiries on value for money in higher education and the quality of apprenticeships and skills training. Nursing bursaries are relevant to both, so we decided last week to hold a one-off evidence session on the subject in the next few weeks. I hope that the Minister for Health will accept our invitation to discuss the matter in greater detail then. I urge him to carry on championing nursing apprenticeships for other healthcare professionals and to set out in detail, at a later date, what the Government will do on apprenticeships. Let us make that culture change, so that apprenticeships are not seen as the inferior option to traditional courses. The change must start in Whitehall, and only when it happens will we see nursing apprenticeships used to their full potential, contributing effectively to tackling the skills deficit and helping the most disadvantaged to have the careers that they and our country need.

7.51 pm

Karen Lee (Lincoln) (Lab): As Members probably know, I was a nurse until last June. I did 12 years in cardiology and almost three in out-patient gynaecology clinics. As an ex-nurse, I could not be any more in opposition to this amendment to nursing bursaries, as I am concerned that it will fail to address the problems with nursing recruitment and will intensify the fall in applications to nursing courses. Overall, applications have fallen by 33% since March 2016, when bursaries were withdrawn. At that time, the Royal College of Nursing, a much respected and non-political body, said the changes were unfair and risky, and the Royal College of Midwives argued that the move threatened the future of maternity services in England.

I hope that all of us in this Chamber acknowledge that there is a workforce crisis across the whole NHS. As the RCN has said, “plans by the government to remove the NHS bursary for pre-registration students in England must be stopped immediately”.

It goes on to say that “nurses need bespoke financial support if the government is to meet its commitment to grow the nursing workforce and meet the future population demand for health and care services”.

The National Audit Office has reported that the impact of the EU referendum appears to be driving EU nurses away, and both the Care Quality Commission and the NAO have raised safety concerns relating to nursing shortages—it is not just Opposition Members who are saying that.

Alex Sobel (Leeds North West) (Lab/Co-op): My hon. Friend gave many years’ service as a nurse and I am sure she worked with many nurses who came here from abroad. The Migration Advisory Committee has placed nursing back on the shortage occupation list. In the light of that, is not this statutory instrument wrongheaded, as we need nurses to come through all routes if we have a nursing shortage?

Karen Lee: I completely agree with that.

There are 40,000 nursing vacancies across the NHS and, for the second year in a row, more nurses are leaving the profession than joining, with one in three expected to retire in the next 10 years. The Government have made much of the nursing associate role and apprenticeships for nurses. Nursing associates provide a support role for nurses, and the RCN feels that diluting and substituting registered nurses with associate nurses has potentially life-threatening consequences for patients. That is the RCN saying that, not me.

This Government also speak in glowing terms about the apprentice nurse role. I do take the points made by the right hon. Member for Harlow (Robert Halfon)—he means well—but it takes four years to train as an apprentice nurse and our health service is, as the RCN says, in crisis right now. Furthermore, this route is not currently providing the 1,000 new nurses per year that the Government planned for, with RCN figures suggesting that there are just 30 apprentice nurses at present—I will give that answer.

I was a mature student. I was 41 when I started my training, and a single parent. We have heard a lot tonight about how we will encourage people who do not want to go down the university route. I worked in Tesco on a checkout. I had been to grammar school and it had failed me, so I had to go to night school to get my A-levels to become a nurse. That took me a year, three nights a week, on top of working. I then worked for three years as a nursing student to become a nurse. I could not have completed my training without a bursary, and I also borrowed £5,000 a year from the Royal Bank of Scotland, so I came out hugely in debt, even though I had a bursary, and it took me five years to clear that debt.

James Cartlidge (South Suffolk) (Con): You shouldn’t have.

Karen Lee: That is what I had to do to become a nurse. I think I got around £500 of bursary at that time, and I had myself and my 10-year-old daughter to keep. My friend Ali was a wife and a mum, and she needed her bursary, and my friends Clare, Haley, Adele and Lisa were younger and single, but they still needed their bursaries, because everybody has bills to pay. None of us could have trained without our bursaries and none of those friends would have gone on to be the nurses they
are today without them. Please, will no one on the Government Benches talk about encouraging disadvantaged people to train as nurses? When we had bursaries, we did. I did.

The bottom line is that more nurses equals better healthcare provision. We cannot go on with an NHS in the state it is currently in. The Government continue to ignore completely the wise words of those who are experts in their field—like the Royal College of Nursing—when it comes to the support available for future healthcare professionals. They seem to think that they know best, but the reality does not bear out that fantasy. The regulations must be scrapped and the Government should reinstate nursing bursaries immediately.

I stand in this Chamber time and again defending our NHS, and I hear people who have no idea what it is like on the ground. Sometimes they sit looking at their phones when people like me are talking. I despair. If the Government will not listen to me, I hope they will heed the wise words of the RCN, because it is right on this. Please listen to the RCN and please reinstate nursing bursaries.

7.56 pm

Maria Caulfield (Lewes) (Con): May I start by declaring that I still work as a nurse on the bank shift, mainly at the Royal Marsden Hospital in London? It is a pleasure to do so.

I have previously been very outspoken against the removal of bursaries and the move to a tuition fee-based system, for practical reasons: student nurses are different from most students. The course requires them to do a set number of practical hours, and the fact that those are often unsocial and irregular means that it is almost impossible for student nurses to get other part-time work to supplement their time on their courses. We have heard today that student nurses are often mature students who have come from other professions and so already have financial commitments, such as mortgages and loans, that they have to bear in mind when they start a nursing course. Postgraduates who have existing debt are often reluctant to take on more to become a student nurse.

However, since the changes were introduced a couple of years ago, the background has changed. We have seen the rise of the apprenticeship route for nursing and of the associate nurse. My difference with Opposition Members is that I have actually worked with some associate nurses who are in training, and with apprenticeship nurses in training, and the difference is phenomenal. They are enjoying their courses a huge amount more because they are working in a practical setting. It is not just about what they are learning on their nursing course; they are back to being part of the team. They are not students who just come to their placement from university; they are learning about being part of a hospital team and a clinical community.

Associate nurses and apprentice nurses are more than just students; they bring experience with them. Many have backgrounds as healthcare assistants. The experience that they bring from a variety of settings is phenomenal. I know about the support that they have given me on shifts as a bank nurse, and that would not have been available with student nurses previously. We are underestimating their power.

I echo some of the comments in the debate: we do need to ramp up the apprentice and associate routes, because that is the way forward. The bursary system was far from ideal. I lived on a bursary of £400 a month for the three years that it took me to train as a nurse, with little or no additional income. As the hon. Member for Lincoln (Karen Lee) said, student nurses rack up significant debt during those three years. That shows that the bursary system was far from ideal. The statutory instrument took some of those points into account, establishing a hardship fund for struggling students and grants for childcare, travel and accommodation—none of which were available under the bursary system. They are there to support students who have financial pressures.

The bursary system has failed to achieve the number of students that we need. There was a cap on the number of places. Each and every year there were more applicants, but there were not more students coming through the system, because the cap did not allow those applying to secure the places. We need to embrace change, and use this as an opportunity to increase the number of nurses. We should also make student nurses feel valued, and give them a variety of routes into nursing. They have the associate nurse role, which means that they are healthcare assistants who want to do their associate training. They can then top up their training in the future to become registered nurses, or they can go down the apprenticeship route to qualify.

I see Opposition Members laughing. They seem to find it difficult to understand how a Conservative Member of Parliament can be a nurse—I am talking about someone who came from a deprived background and who took the route into nursing because she could not get into university. I will not apologise. I am not afraid to speak out for student nurses and for nurses. I worked with the RCN in the “Scrap the cap” campaign. I spoke out when there was a move away from the bursary system, but, with my hand on my heart, I can say that the associate and apprenticeship routes into nursing are the way forward. It is misleading to pretend that the bursary system was a panacea, that student nurses were happy and that we were fulfilling the numbers that we needed.

I am a member of the RCN and I fully respect everything that it does to support nurses, but its briefing has been slightly misleading. It lists only two routes into nursing: the two-year postgraduate route, and the three-year route into nursing. It does not even mention the associate route or the apprenticeship route, which we need to take into account. It also highlights the fact that applications into nursing have fallen, but it has not mentioned that 2017 saw the second-highest number of students ever accepted on to nursing courses—26,620 students—and that was despite an overall fall in the total number of applications.

Karen Lee: I have the briefing here, and it does mention it.

Maria Caulfield: I thank the hon. Lady for her intervention. As a member of the RCN, I, too, have had the briefing, and it does not mention the associate and apprenticeship routes into nursing.

The bursary system was not the panacea that Opposition Members claim it to be. I am happy to stand up to fight for nurses when I think that Labour Members may have
a point, but I think they are now moving into the realm of scoring political points, which is their usual tactic. There is a better way to get nurses into training, and I urge Ministers to continue both the associate route and the apprenticeship route, to give student nurses alternative routes into nursing, to boost nursing numbers and to develop nursing into a degree-entry healthcare profession.

8.2 pm

Vernon Coaker (Gedling) (Lab): May I just say to the hon. Member for Lewes (Maria Caulfield) that this is not about scoring political points? It is about debating in this House of Commons something that is of immense importance to our country. I agree with her that no one has a monopoly on these things, but it is only right and proper that we have an open and frank debate about the matter. That means that there will be a clash of views and a clash of opinions, but out of that will come better policy, and I hope that the Government, as they move forward, will listen to some of the concerns that have been raised, even if they do not change their policy. There is nothing wrong with that. That is not political point scoring; that is holding the Government to account for the policies they are pursuing.

Let me also say this: the only reason why the Government are being held to account is that my hon. Friends on the Opposition Front Bench have obtained this debate. They deserve a great deal of credit for that, because the Government were not going to debate these regulations. Indeed, the House of Lords Committee, that scrutinises these secondary legislation reports said that it was unprecedented for the Government to be forced to hold a debate in this place when revoking one set of regulations and replacing them with another. So, it is quite right that we are actually saying this to the Government. We would not be able to get the Government to put forward their views as to why removing bursaries is a good thing, and we would not be able to explain why we are holding them to account, were it not for the fact that we raised this matter in the way that we have.

The hon. Member for Lewes criticised the Royal College of Nursing’s figures, but the RCN—a highly respected body in this country—has laid out the statistics, including for many of the routes that she says it has not, regarding the fall in the number of applications since NHS bursaries were got rid of two years ago. There has been a 33% fall in the number of applications for nursing degrees. It may be that that does not matter, but the Government still need to address and defend it and explain why the RCN is wrong to highlight that as a figure that should cause us concern.

Maria Caulfield: That is the point: despite the fall in the number of applications, the number of placements has actually increased to its second-highest level ever. If the bursary system was so great, why were the nursing student numbers not coming through it, and how come we had such a high drop-out rate of student nurses?

Vernon Coaker: Let us see where this goes. The hon. Lady’s point is that it does not matter that there has been a 33% fall in applications, because other things will happen, but that is not the view of the Royal College of Nursing. Applications from mature students have been disproportionately affected by the funding reform; the number of applicants aged over 25 has fallen by 42%. I do not know whether the Minister intends to respond—it would be a shame if he did not—but perhaps he can explain why that figure does not matter. That point needs to be addressed in debate. The hon. Lady disagrees, but I say that it does matter, and that it will cause problems for future nursing recruitment.

Dr Whitford: The hon. Member for Lewes (Maria Caulfield) asks why not enough nurses were coming through. Is that not simply because there was a cap on places? The Government keep linking the bursary with the cap. The issue was not the bursary; it was the cap. If the Government want to invest in nurses, they should lift the cap but not remove the bursary, because that will shrink the number of applications.

Vernon Coaker: I thank the hon. Member for Lewes (Maria Caulfield) for her intervention. I say to the Minister that there is hard evidence from the Government’s own equality analysis that the reforms will “increase the amount of student loan borrowing for postgraduate students and could lead to a fall in student numbers. The government has acknowledged that, due to the student intake, the impact will fall largely on women, older students and, to a lesser extent, students from ethnic minorities.”

Where is the Government’s defence of that, and what are they doing to mitigate it? I have no doubt that the Government would say, “We have done x, y and z.” Indeed, that is what the hon. Member for Lewes has said, but where is the Minister’s explanation?

It is not just the Government equality analysis that says we should be concerned about the changes. A House of Lords Secondary Legislation Scrutiny Committee report, published just a few days ago, also raised concerns. First it criticised the process and then it said:

“Our second, no less strongly felt concern is with the wider impact on recruitment to postgraduate nursing courses which may result from the switch from bursary to loan support”.

That is why this debate is so important. There is evidence from a highly respected Select Committees of this House, and from the Government’s own equality analysis, and were it not for the actions of my Front-Bench colleagues, we would not even be debating the issue and the House of Commons would not even be reflecting on a major change to the way in which we fund the postgraduate training of our nurses.

We all agree that the nurses of this country deserve our respect, and that they do a wonderful job, but the point of this debate is to ask whether we are going to address the shortage of nurses following the removal of nursing bursaries. As my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner) said, we have serious concerns and doubts about that, and it is quite right that those are debated.

Let us see whether the hon. Member for Lewes is right, or whether the Royal College of Nursing is right that the huge fall in applications we have seen at undergraduate level will be reflected at postgraduate level, and that down the track the Government will regret ignoring the professional bodies and their own equality analysis. The Government need to reflect on that and see what more can be done. If there is anything about our nurses being brilliant is fine, and we all share that admiration, but at the end of the day, what this country needs is hard-nosed policy that works.
8.10 pm

Rachel Maclean (Redditch) (Con): I will keep my remarks brief. It is a great pleasure to follow the hon. Member for Gedling (Vernon Coaker). I agree with him that we need a new long-term system that works and removes the cap from people who wish to study as nurses. The vice-chancellor of Oxford Brookes University, Alistair Fitt, has said that nursing bursaries “had to end” and were not a sustainable system. The cap on places was discouraging people who wished to enter the nursing profession, which is so important for all our constituencies.

In Worcestershire, we need more nurses, not fewer. I welcome the work that has been going on in a partnership between my NHS trust and the University of Worcester. I backed their calls for a medical school, and the work being done on the ground is already reducing nursing vacancy rates. They are down from 8.4% to 7.5%, and nursing turnover rates are down from 14% to 10% in the last year. That is a tribute to local professionals working hard to tackle the real problems in my area for the benefit of my constituents. I want to see more of that.

Under the new system under the regulations, postgraduate healthcare students will be 25% better off as they take part in their studies. These are new measures, and we need to back the Government. We should not vote for the Labour party’s motion to annul these Government regulations, which will help more people to enter the nursing profession at senior levels. We are talking about the senior leadership roles that we need in all our hospitals to deal with the needs of our population and their healthcare.

Finally—I said I would be brief, and I will be—we definitely need to stop the rhetoric about student debt, because it puts people off going to university. I refer Labour Members to the comments of Martin Lewis, a respected financial expert, who just last week said that it was completely wrong—[Interruption.]

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Lady is making a serious speech. There should not be so much chuntering going on.

Rachel Maclean: Thank you, Madam Deputy Speaker.

Martin Lewis’s comments were, it is true, aimed at politicians on both sides of the House, but we have all heard the Labour party’s recent claims about student debt. The idea that that is the same thing as a debt has, in reality, put people from different backgrounds off studying at university. Student debt is not the same thing as a credit card debt. It is a graduate tax that we will run the economy in a balanced way to support our precious NHS during this Parliament and in the years to come. I will not be voting for Labour’s motion tonight.

Question put.

The House proceeded to a Division.

Madam Deputy Speaker (Mrs Eleanor Laing): I remind the House that the motion is subject to double-majority voting of the House, and of Members representing constituencies in England.

The House having divided: Ayes 234, Noes 295.

 Votes cast by Members for constituencies in England:

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**Tellers for the Ayes:**

- Thangam Debbonaire
- Fiona Onasanya

**NOES**

- 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
- 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, Sir Graham
- Braverman, Suella
- Beretoo, Jack
- Bridgen, Andrew
- Brine, Steve
- Brokenbrough, rh James
- Bruce, Fiona
- Buckland, Robert
- Burghart, Alex
- Burns, Conor
- Burt, rh Alistair
- Cairns, rh Alun
- Campbell, Alex
- Cartidge, James
- Cash, Sir William
- Caulfield, Maria
- Chalk, Alex
- Chishti, Rehman
- Chope, Sir Christopher
- Churchill, Jo
- Clark, Colin
- Clark, rh Greg
- Clarke, Mr Simon
- Cleverly, James
- Clifton-Brown, Sir Geoffrey
- 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
- Dinnenage, Caroline
- Djajogly, Mr Jonathan
- Docherty, Leo
- Donelan, Michelle
- Dorries, Ms Nadine
- Double, 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
- Ellwood, rh Mr Tobias
- Eustice, George
- Evennett, rh David
- Fabricant, Michael
- Fallon, rh Sir Michael
- 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 Nusrat
- Gibb, rh Nick
- Gillan, rh Dame Cheryl
- Glen, John
- Goldsmith, Zac
- Goodwill, Mr Robert
- Gove, rh Michael
- Graham, Luke
- Graham, Richard
- Grant, Bill
- Grant, Mrs Helen
- Grayling, rh Chris
- Green, Chris
- Green, rh Damian
- Greening, rh Justine
- Griffiths, Andrew
- Gyimah, Mr Sam
- Hair, Kirstene
- Halfon, rh Robert
- Hall, Luke
- Hammond, Stephen
- Hancock, rh Matt
- Hands, rh Greg
- Harper, rh Mr Mark
- 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
- Hinds, rh Damian
- Hoare, Simon
- Hollingbery, George
- Hollinrake, Kevin
- Hollobone, Mr Philip
- Holloway, Adam
- Howell, John
- Huddleston, Nigel
- Hughes, Eddie
- Hunt, rh Mr Jeremy
- Hurd, rh Mr Nick
- Jack, Mr Alister
- James, Margaret
- Javid, rh Sajid
- Jayawarden, Mr Ranil
- Jenkin, Mr Bernard
- Jenkyns, Andrea
- Jerrick, Robert
- Johnson, rh Boris
- Johnson, Dr Caroline

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**Education (Student Support) Education (Student Support)**

- 9 MAY 2018

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Penrose, John
Penning, rh Sir Mike
Pawsey, Mark
Paterson, rh Mr Owen
Penning, rh Sir Mike
Penrose, John

Delegated Legislation

Madam Deputy Speaker (Mrs Eleanor Laing): With the leave of the House, I propose to take motions 5 and 6 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

Children and Young Persons

That the draft Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018, which were laid before this House on 19 March, be approved.

Constitutional Law

That the draft Welsh Ministers (Transfer of Functions) Order 2018, which was laid before this House on 28 March, be approved.—(Paul Maynard.)

Question agreed to.

Petition

Royal Bank of Scotland closure in Nairn, Grantown and Aviemore

8.31 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): No matter the spin from the senior management of the Royal Bank of Scotland or the silence from the Government over their 70% shareholding, the people of Aviemore, for whom I present this petition tonight, say that the closure of their branch is nothing less than a betrayal.

The petition states:

The petition of residents of Inverness, Narin, Badenoch & Strathspey (SNP) states that the proposed closure of the branches of the publicly-owned Royal Bank of Scotland in the areas of Narin, Grantown, Aviemore and Inverness will have a detrimental effect on local communities and the local economy.

The petitioners therefore request that the House of Commons declare that the proposed closure of the branches of the

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CUMBERLAND

Cumbria

 proposes to take this Report into its consideration and discuss the implications for Cumbria.

Tellers for the Ayes:

Tellers for the Noes:

Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Question accordingly negatived.

Business without Debate

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Wright, rh Jeremy
Zahawi, Nadhim

Question accordingly negatived.
Universal Credit and Terminal Illness

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

8.32 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): When I was elected in 2015, I had an early meeting with the Macmillan citizens advice bureau. I had lots of dealings with the citizens advice bureau before being elected and know that it dealt with hundreds of cases, some of which I brought to it as the then leader of the council. It dealt with people with chaotic lives—desperate people in difficult conditions—and it is fair to say that its staff were battle-hardened professionals helping people. I think it is very telling that, when they told me about the struggles of the terminally ill when they transfer to universal credit, it was the first time that I had ever seen them in tears.

Imagine the moment that a person hears from their doctor that they are terminally ill. In that instant, nothing for them or their families will ever be the same again. It is one fateful moment that changes everything—their entire world. Suddenly, priorities shift and they become acutely aware of every second as it passes. Terminal illness deeply affects families in our communities and the very least that they should expect, when asking for help from a Government, is that support is prompt and sympathetic to their situation. The trouble is that that is not what they are getting. It is not even close to sympathetic approach and to demonstrate an empathy for what they are going through that has been sadly missing.

Chris Stephens (Glasgow South West) (SNP): My hon. Friend has described the situation on the Highland Council. Could he enlighten the House as to who is picking up the slack for universal credit? Is it local authorities, food banks and other charities?

Drew Hendry: My hon. Friend rightly answers his own question. It is indeed the local authorities, the food banks and the local charities, as well as those serving the community by supporting people in these positions. During the transfer to full service, our constituency office was swamped with universal credit issues.

Mr Jim Cunningham (Coventry South) (Lab): We can trace this back to the Government’s talk of austerity in the last two general elections and their promise to cut £12 billion from the social budgets. That is why we are in this situation today. They can dress it up however they like, saying it is a wonderful thing, but we all know it is not. It is a cruelty being inflicted not only on terminally ill people but on ordinary people earning poverty wages today. Would the hon. Gentleman not agree?

Drew Hendry: The hon. Gentleman is exactly right in his description of the circumstances that have brought about this situation.

Since the roll-out of full service, I have stood here too many times to relay the devastation roll-out has caused for many of my constituents. I have supported hundreds of constituents with their universal credit issues, I have all the case studies, I have shared them and given voice to them as their MP, but, again, that has all been ignored. Such was the devastation we experienced from full-service roll-out that we even set up a universal credit roundtable group, which included the Highland Council, local Department for Work and Pensions staff, Citizens Advice, housing officers and others, to come up with local workarounds. We wrote to the Prime Minister, the previous Minister and anyone who would listen. We tried to be constructive. We shared real stories to back up our arguments. We offered process solutions. I even held a summit that included heartbreaking testimony from constituents and invited every Conservative Member to attend. Again, we were ignored.

For many, many months, I have campaigned alongside Macmillan CAB in my constituency, as well as Marie Curie, the Motor Neurone Disease Association and clinicians, on the specific issues facing people with a terminal illness.

Marion Fellows (Motherwell and Wishaw) (SNP): I have a personal interest in this debate. I am very glad that, when my husband was declared terminally ill in December, he could only claim attendance allowance, which was not under universal credit. Some of these stories are horrendous. I speak from experience: people who are terminally ill want to do the best for their families, but under this system they cannot.

Drew Hendry: I thank my hon. Friend, not only for her intervention but for her fortitude and bravery in raising that particular matter. It hit home in showing why the whole issue is so important, and why it is so important for something to be done.
Dr Philippa Whitford (Central Ayrshire) (SNP): My hon. Friend mentioned working with groups such as the Motor Neurone Disease Association. As many Members know, my experience has been walking that journey with women with breast cancer. I always used to say to them, “Make sure that you put every day in your back pocket when you go to bed, and say, ‘That was a good day.’” In Scotland we are trying to extend the period so that we recognise people as terminally ill for a much longer period so they will receive their benefits. To waste the months that someone might have left by haggling about money while the days are ticking away is just cruel and uncivilised.

Drew Hendry: My hon. Friend has identified the nub of the issue. People literally do not have time for this.

I recently set up an all-party parliamentary group on these issues, which is supported by many of the organisations that I have mentioned, but the issues are still ignored. This evening, as I relay to the House the specific impact that universal credit is having on people with terminal illness, I ask the Minister not to follow the same path, but to listen carefully to the very real experiences of the families who face the prospect of losing loved ones, yet have to watch them fight for financial support.

Before the introduction of universal credit, terminally ill people with six months or less to live were able to fast-track their benefit claims to ensure that they could spend at least their last weeks and months with the support to which they were entitled. That has not been the experience of those who are unfortunate enough to be terminally ill in an area where universal credit has been rolled out. It is the worst kind of postcode lottery, and it will reach many more places if the Government proceed with the roll-out in its current form.

The first issue that I want to discuss is the Government’s legal definition of terminal illness. The Motor Neurone Disease Association and Marie Curie, among others, tell us that it seriously restricts access to benefits for those living with a terminal illness who do not fall into the “last six months of life” category specified in the Welfare Reform Act 2012. People with conditions such as terminal heart failure, chronic obstructive pulmonary disease, MND and other terminal conditions who may live longer than 10 months, but equally may die in a shorter period, must apply for social security in the usual way, and will be subject to all the normal assessments, which—unbelievably—can include work assessments.

People living with such conditions, and their families, face a significant financial burden as a result. Some 82% of people with MND describe the financial impact of the disease as “very negative” or “moderately negative”. People of working age and people with children living at home are particularly vulnerable to negative financial consequences. I note that people with MND will once again be protesting outside the House on 16 May, and I look forward to supporting them there until there is movement on this issue.

The financial effect of MND on those living with the condition becomes more difficult to manage as the disease progresses and a person’s care, support and equipment needs increase. On average, the cost of living with MND is an extra £12,000 a year, not including loss of income. So why should an arbitrary time limit of six months be attached to the status of the terminally ill? It is a timescale that means nothing to people with degenerative conditions with no cure, who have no hope of improvement. There is no evidence-based reason why the Minister cannot choose a different path, as the Scottish Government have done with their new limited powers relating to disability benefits. They see support for people who are terminally ill as a complex, sensitive and difficult issue, but they have put dignity and respect at the heart of their Social Security (Scotland) Bill. Jeanie Freeman, the Minister for Social Security, has said:

“We are very aware that behind the decisions that we make, are thousands of people who we put front and centre of our actions. The central principle is that terminally ill individuals should be provided with the support they need, quickly.”

That is all that we ask of this Government. We ask them to see those people as people, and not as the number that they represent on a spreadsheet.

The Scottish Government’s amendment to the Bill was framed carefully to ensure that the sensitive and difficult conversations between an individual and their clinician, which are required in these difficult circumstances, are held when they are medically necessary to allow for optimal patient care. Providing for maximum clinical judgment is the best way to achieve that.

The Scottish Government have opted to set no arbitrary timeframe to the definition of terminal illness; instead they allow the chief medical officer, in consultation with the registered medical practitioners, to set a framework in guidance. It is this guidance that will decide when an individual has a progressive disease that can reasonably be expected to cause that individual’s death. Both the chief medical officer and the chief nursing officer, and national experts, have reviewed and fully support the Scottish Government’s proposals as the best way to achieve timely support for those with terminal illness.

Also embedded in Scotland’s Social Security (Scotland) Bill—and therefore enshrined in legislation—are clear “special rules” for terminal illness cases. These guarantee terminally ill people quick access to disability assistance, ensuring that an individual does not have to satisfy a qualifying period in relation to their diagnosis and that they will not have to undergo further assessments to prove that they have a terminal illness. The awards will be calculated at the latest from the date of application and they will automatically get the highest rate of financial support to which they are entitled. That is in line with the Scottish Government’s commitment to the principle of providing support when it is needed. It maintains fast-tracking for the people with terminal illness to remove barriers to their receiving care as soon as possible.

Marie Curie has echoed its support of the Scottish Government and would like to see the UK Government follow their lead in setting a fairer definition of terminal illness. It asks that decisions around a terminal illness diagnosis be clinically made and supported through the issue of a £1500 to a patient by their health professional. Ahead of this debate, Marie Curie told me:

“With the Scottish Government defining terminal illness on clinical judgement and Universal Credit remaining the purview of Westminster, we are concerned that differences between the two systems will create administrative problems. If Westminster were to follow suit and amend its definition of terminal illness to a clinical judgement, we could avoid a potentially harmful situation when Universal Credit is almost fully rolled out.”
Marie Curie is joined by 58 clinicians who signed a letter in support of changes to the Social Security (Scotland) Bill.

Similarly, MND told me:

“The UK Government should adopt the definition of terminal illness set out in the Social Security (Scotland) Bill 2018”, and that

“The DWP should update its guidance to assessors and claim managers, to emphasise that the validity of a DS1500 signed by a health professional should not be challenged.”

I therefore have some asks for the Minister. I ask her to listen—to really listen—to what she is hearing from people suffering from these terminal conditions and really listen to the professionals and clinicians. I also ask her to scrap the arbitrary six-month definition. It means nothing to 90% of people with a condition medically classed as, or linked to, a terminal illness.

Even those who have been identified as terminally ill, as defined by this Government, with less than six months to live do not escape the nightmare of universal credit. That includes 65,900 people across all the nations of the UK. They continue to experience delays upon delays. I join MND and Marie Curie in their calls for cuts to those unreasonable delays.

Therefore, I have another ask for the Minister. The benefits for those with a terminal illness under universal credit should be fast-tracked, ideally paid in advance and within a calendar week of when the application has been made, and a DS1500 given to the DWP. The current wait of five weeks for “fast-track” support is simply unacceptable.

There are also those on universal credit who have lost the right not to know they are dying. Instead, they are forced to complete the forms, which force them to answer the question, effectively saying, “Yes, I am dying.” Before the introduction of universal credit, advocacy could do this for them. What possible reason could there be to remove this right? A completed DS1500 form should be considered sufficient evidence by the DWP that a person is terminally ill and will not get better, and that their condition will deteriorate from that point until their death. A DS1500 should be allowed to be issued on behalf of a person and accepted by the DWP in the same way as if submitted by the applicant themselves.

So I have another ask for the Minister: the DWP should immediately establish a process to ensure that DS1500s can be submitted by a third party without the explicit consent of the claimant.

Then there are those people left with a devastating cut to their income due to the removal of the severe disability premium. Without any change in their diagnosis, six months to live have been asked to meet a job coach to justify their unemployment because the guidelines around forms are unclear. Someone with a terminal illness, as evidenced by a DS1500, should not be required to undergo any face-to-face assessment for support under universal credit or undergo any further assessment or reassessment. I ask the Minister urgently to set out clear guidelines on that because the guidelines are not working.

These are just some of the issues that people with a terminal illness face because of this Government’s failure to put dignity and respect at the heart of their welfare policies. I ask the Minister to imagine what it must be like to face all this stress in the last months of life—a time when the person and their family should be cherishing every precious remaining moment together. People should not have to jump through welfare hoops and spend their final weeks and months dealing with a broken system. Getting financial support is not an option for them; it is a necessity to keep a roof over their head.

I fully expect the Minister to tell me that I am wrong and that all is well with the system, because that is all that I have heard whenever I have raised such issues. Perhaps we will even hear that, despite the evidence and the testimony of all the groups involved, that this is simply scaremongering, and I have heard that response on the many times I have raised this issue. I have raised it at Prime Minister’s questions three times in a row. I have raised it many more times in debates, and I have heard the claim that terminally ill people are being served well. Terminally ill people and their families watching this debate are seeking an answer.

The reality is that, because of this Government’s failing welfare system, people are spending their last days fighting a cruel and broken system. The Minister has the power to change that. She can do as the Scottish Government have done and think about the people concerned, about their debilitating illnesses, about their families and their children and about their final days. I believe that the Minister wants to do that, and this is her opportunity to prove it. She can make a start by making the changes that I have outlined.

8.53 pm

The Minister for Disabled People, Health and Work (Sarah Newton): I thank the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) for securing this debate on an incredibly important subject, and I praise the hon. Member for Motherwell and Wishaw (Marion Fellows)—I hope that I can call her my friend, because we were both Tuesday Whips for some time and we enjoyed our time together—for her bravery in speaking this evening at what is a terrible time for her, as it would be for anyone of us facing terminal illness. There will be no one in the House who has not had a member of their family or someone that they know receive the devastating news that their life is coming to an end. It is difficult for us to hear, and we all must do our best to treat everybody with the sensitivity, empathy, respect and dignity that has been requested this evening.

I want to reassure hon. Members that staff in the Department for Work and Pensions really do their utmost to support claimants and their families during this difficult period. The Department has significant experience in dealing with the legacy benefits system, and a lot of that learning has been transferred to universal credit.
Drew Hendry rose—

Sarah Newton: The hon. Gentleman has asked me to respond to a lot of questions, which I really want to do, and we have very little time left this evening, so let me say from the outset that I am happy to meet him face to face to go through anything that I have not covered to his satisfaction this evening. It is great that he has set up an all-party parliamentary group. I have worked directly with those stakeholders and charities myself, and I would be happy to meet him in his role as the chairman of the APPG to go through some of the issues. Inevitably, in the time left tonight, I am not going to be able to cover everything that I would like to cover.

I want to emphasise that, once we understand that someone has a terminal illness, we do not want them to have to fill in lots of different forms. We want them to be able to concentrate on what really matters to them in the time that they have left. I know from this debate and others that the hon. Gentleman has raised concerns about the DS1500, so it is important that I explain a little about the process to the House. Claimants and healthcare professionals use the form—it is not a claim form; it is a form—to tell us about a terminal condition. It is not mandatory for claimants to complete the form. It is an opportunity for them to tell us about their condition, and it helps us to ensure, as soon as we know that they are terminally ill, that we can waive all the requirements that are usually associated with universal credit relating to conversations with work coaches about employment. All that is waived. Right from that moment, there is a fast-track system. Once we receive the DS1500, people are immediately entitled to those benefits.

The hon. Gentleman mentioned a lack of clarity in the DWP’s handling of these issues. He has raised this matter before, and we took it really seriously. We updated the guidance—a copy was put in the Library in February—to ensure that all the medical professionals and people in the DWP understand the processes, so that people can be fast-tracked.

Dr Whitford: Will the Minister give way?

Sarah Newton: I am not going to give way, because I only have a couple of minutes left and every moment I give way means that I cannot answer the questions that I have been asked. However, I sincerely want to carry on this conversation. I will answer as many questions as I can tonight, but I know that Madam Deputy Speaker will ask me to sit down shortly. We can carry on the conversation, however.

There was a conversation this evening about the definition of terminal illness. Our definition of someone who is terminally ill is that they have a progressive disease and a life expectancy of six months or less. We understand that this is not an exact science, and there is much debate among medical professionals about this. We do not ask claimants to give us evidence of their life expectancy, so terminally ill claimants may well remain on benefits for longer than six months. For example, with personal independence payments, around 40% of terminally ill claimants remain on benefits for longer than a year. We take a pragmatic, person-centred approach to these decisions. These rules were first introduced in 1990. We have regular conversations with the medical profession, and we want to ensure that people are given an absolute guarantee of the financial support that they and their families need and that their claims are handled swiftly to reduce the burden on individuals.

Having listened to the medical profession, we understand that six months strikes about the right balance between providing the support that people need and confidence in the prognosis, because the longer the prognosis, the less likely it is to be accurate. Making the period longer than six months would therefore make the diagnosis, and potentially the conversation between doctor and patient, that much more difficult. The Department works very closely with doctors and clinicians, and we are always looking for ways to improve the experience for any of our claimants and for any of our benefits.

We know that people need support with the DS1500 form. Our staff can offer support and we have consent arrangements in place so that third parties—excellent organisations such as Macmillan—can work directly with us. We have visiting services so that someone can go to a patient’s home to go through this, and the Department has well-established appointeeship arrangements for people who are unable to manage their own affairs.

With regard to how universal credit works in this situation, as soon as we know that someone is terminally ill, they will receive an additional £318.76 a month in their universal credit entitlement, paid from day one, and there are no work-related requirements at all.

I am out of time and have not been able to address all the work that we have been doing, listening carefully to our partners and making sure that the interface between universal credit and the legacy benefits of employment and support allowance and personal independence payment runs as smoothly as possible. It is incredibly important that we listen and learn and make improvements, so that this tragic situation that people find themselves in is dealt with as sensitively and swiftly as possible. I am absolutely determined to do that, and I will be very pleased to meet the hon. Gentleman and the all-party parliamentary group to go through their questions in more detail and provide further information and assurances.

Question put and agreed to.

9.1 pm
House adjourned.
Oral Answers to Questions

DIGITAL, CULTURE, MEDIA AND SPORT

The Secretary of State for Digital, Culture, Media and Sport was asked—

Sport Funding: Special Needs Schools

1. Sir Nicholas Soames (Mid Sussex) (Con): What recent discussions he has had with the Secretary of State for Education on funding for sport in special needs schools.

Mr Speaker: I rather imagine the Minister will be visiting the school very soon—just a hunch. We will see.

Jim Shannon (Strangford) (DUP): We need to try to reach disabled people in rural communities, too. What does the Minister hope to do to reach out to people in special needs schools, people with disabilities and veterans?

Tracey Crouch: Along with the Minister for Disabled People, Health and Work and the Under-Secretary of State for Education, the hon. Member for Stratford-on-Avon (Nadhim Zahawi), I am passionate about ensuring that all children have access to meaningful physical activity at school. We provide funding—through the school games programme, for example—to ensure that we provide opportunities for disabled pupils and those with SEN to participate. There is also additional funding through the primary PE and sport premium. Through the DFE, we have funded the Project Ability programme since 2011 to increase competitive sport opportunities for young disabled people.

Mr Mark Harper (Forest of Dean) (Con): The Minister will be aware that there are many talented athletes with learning disabilities who have ambitions to represent their country in international competitions, but there are still many barriers stopping them from doing so. Will she agree to meet me, as chair of the all-party parliamentary group on learning disability, and I am happy to meet him to discuss this.

Mr Philip Hollobone (Kettering) (Con): Some special schools clearly have better sports provision than others. What is being done to roll out best practice across the sector?

Tracey Crouch: My right hon. Friend has done a lot of work on setting up the new all-party parliamentary group on learning disability, and I am happy to meet him to discuss this.

Tracey Crouch: My hon. Friend is right, and I see the differences in my constituency—some schools really do ensure that pupils with disabilities participate in meaningful PE. The Under-Secretary of State for Education, the Minister for Disabled People, Health and Work and I sit on the school sport board, and we discuss these matters regularly.

Football: Safe Standing Areas

2. Dr Paul Williams (Stockton South) (Lab): What assessment his Department has made of the potential merits of introducing safe standing areas at football grounds in the English Premier League and Championship.

Mr Speaker: I rather imagine the Minister will be visiting the school very soon—just a hunch. We will see.

Tracey Crouch: The Government believe that all-seater stadiums are currently the best...
means of ensuring the safety and security of fans at designated football matches in England and Wales, but we continue to work with the Sports Grounds Safety Authority to consider advances in technology and data that may enhance the existing policy.

**Dr Williams:** It is a buoyant time for football in Teesside, with Stockton Town in the final of the FA vase and Middlesbrough in the Championship playoffs. Some 94% of Teesside football fans would like the choice of whether to sit or stand when they watch a match, so what advice has the Minister taken from the SGSA about the safety of standing in seated areas?

**Tracey Crouch:** I regularly meet the SGSA to discuss all matters of safety and I continue to listen to its advice. We are looking at ways in which we can consider advances in technology that do not require legislative change to see how we can deliver that. Having worked for one of the hon. Gentleman’s predecessors, albeit a long time ago, I know that many of his constituents are Boro fans and of course Stockton Town fans. Not only do I wish Boro well in the playoffs this weekend, but I wish to thank the Middlesbrough Supporters Forum for its positive engagement in this debate.

**Mr Sweeney:** Celtic Park is one of the largest football stadiums in the UK and lies a mere stone’s throw from my constituency. It is the only stadium in the UK currently to be piloting a safe rail seating area, with 3,000 places available for safe standing for the past two years. Will the Minister therefore consider visiting Celtic Park to assess the merits of that scheme, which has been a great success for the past two years, and look at how it could benefit other stadiums in the UK?

**Tracey Crouch:** I had the good fortune of bumping into a senior member of Celtic in Parliament earlier this week and we had a brief discussion on Celtic. Both my officials and those from the SGSA have already visited the rail seating area at Celtic to see it in operation. It has not been without its problems and has been closed twice already during the last season because of fan behaviour, but we continue to look at the development of rail seating at Celtic.

**Damian Collins** (Folkestone and Hythe) (Con): As the Minister knows, a growing number of clubs are not looking at ways in which we can accommodate those who do wish to stand, but we do not have any plans at this moment to change the legislation.

**Tracey Crouch:** Enforcement powers are in place for the SGSA, to ensure that we deal with persistent standing. Addressing the safe standing issue would not necessarily mean that persistent standing did not happen elsewhere in the stadium, but we are looking at these issues. Clubs should remember that safe standing does not come without cost; as we have seen from Celtic Park, it can be rather costly to clubs.

**Mr Speaker:** On the subject of persistent standers, I call Mr Barry Sheerman.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): The House will not be surprised that I stand today after the magnificent result of Huddersfield’s draw with Chelsea, meaning that we will not be relegated. Is the Minister aware that many of us have fought for years for family-friendly football and some of us have deep reservations about standing areas, where there might be a lot of young men, who like to shout, and sometimes shout racist abuse— I am not saying all of them do. Dean Hoyle, the wonderful owner of Huddersfield Town, has his reservations and so do I.

**Tracey Crouch:** As a Tottenham fan, may I also congratulate Huddersfield Town on holding Chelsea to a draw last night and helping us secure a Champions League spot? The hon. Gentleman is right to say that there has been a significant change since the all-seater stadium policy came in and that spectators have evolved, and we now have a much more family-friendly place for people to go to watch football. That is not to say that we are not looking at ways in which we can accommodate those who do wish to stand, but we do not have any plans at this moment to change the legislation.

**Channel 4 Relocation**

3. **Deidre Brock** (Edinburgh North and Leith) (SNP): What recent discussions has he had with Channel 4 on its potential relocation outside London. [905194]

**The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock):** We warmly welcome Channel 4’s agreement to establish a new national headquarters outside London. I am sure that a number of cities throughout the country will be well placed to host Channel 4. The final decision on the location is one for Channel 4 and will be made later this year.

**Deidre Brock:** Does the Secretary of State agree that the strength of Glasgow’s creative and independent television production sector and its rich cultural diversity make it the ideal place for Channel 4 to land? How will he ensure that the devolved nations get a fair share of the spoils of relocation? There should be no more lift and shift, but some real spending on Scottish production companies.

**Matt Hancock:** Of course, as well as moving its national headquarters outside London, Channel 4 has committed to increase its production spend outside London to 50%, much of which will end up in the devolved nations. I am delighted to say that Channel 4 currently seems to be very popular right across the
country. Once it has made its decision to go to one particular place, I hope it remains popular everywhere else.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): But would not Birmingham be a better choice?

Matt Hancock: I like to make decisions, but I am delighted that this is one I do not have to make.

Dan Jarvis (Barnsley Central) (Lab): I should declare an interest as the newly elected Sheffield city region Mayor. If Channel 4 were a city, it would be Sheffield, which is creative, dynamic, authentic and welcoming. It is a city rich in culture. Does the Secretary of State agree that Sheffield would be more than deserving of a place on the shortlist of those cities bidding to attract Channel 4’s national headquarters when it relocates?

Matt Hancock: I admire the hon. Gentleman’s modesty, because he merely asked for a place on the shortlist, as opposed to winning the decision. Of course, there will also be creative hubs for those cities to which Channel 4 does not move. I am sure that this afternoon’s Westminster Hall debate on this topic will be well subscribed, so that this debate can continue further.

Brendan O’Hara (Argyll and Bute) (SNP): Glasgow’s bid to be Channel 4’s HQ has gathered cross-party and, indeed, cross-city support, with Edinburgh prepared to set aside ancient rivalries. Does the Secretary of State agree that with that level of support, coupled with its ability to draw on production infrastructure and creative and cultural talent, Glasgow ticks all the boxes?

Matt Hancock: I love Glasgow. It is an amazing city that is really going places. I am delighted that there is so much enthusiasm from every corner of the House for the fulfilment of a Conservative party manifesto commitment.

Mr Speaker: I suppose we had better hear about the Northern Ireland situation. I call Mr Gregory Campbell.

Mr Gregory Campbell (East Londonderry) (DUP): I do not wish to add to the bidding war, but when the Secretary of State has discussions with Channel 4 about where it might relocate, perhaps it might also reconsider some of its options in terms of its broadcasting output throughout the United Kingdom.

Matt Hancock: The hon. Gentleman is absolutely right. It is almost impossible to overplay the amazing advances in broadcasting production in Northern Ireland over the past few years. It has been an absolute triumph and a great addition not only to the economy but to society and culture in Northern Ireland. I am sure that Channel 4 will consider that, too.

Broadband and Mobile Coverage: Rural Areas

4. Peter Heaton-Jones (North Devon) (Con): What steps he is taking to improve broadband and mobile phone coverage in rural areas.

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): As well as moving Channel 4 outside London, we are clear that we need to continue to improve broadband and mobile connectivity in rural areas. We hit the target of achieving 95% coverage by the end of last year, and our broadband universal service obligation will be implemented by 2020, to make sure that nobody is left behind.

Peter Heaton-Jones: I thank the Secretary of State for that answer and welcome the progress that is being made. Does he agree that, in a rural area such as North Devon where small businesses, often based in people’s homes, form the backbone of the economy, it is vital that we deliver a good 4G and broadband service for entrepreneurs?

Matt Hancock: I agree incredibly strongly with my hon. Friend, who is a great champion for North Devon. Coverage there is only 85%, so there is much further to go, but I was delighted that Ofcom said yesterday that the average download speed had risen by 28% over the past year. That shows that, although there is further to go, we are making progress.

Ian C. Lucas (Wrexham) (Lab): The single economic area that covers north Wales and extends into west Cheshire is one of the most successful in the UK, but the final link that it lacks is a digital infrastructure hub. We must consider carefully the bid for such a hub that the economic region has put forward. Will the Secretary of State look at that closely?

Matt Hancock: Yes, I have looked at the bid closely; I think it is a good one. I agree with the hon. Gentleman very strongly. I grew up in Cheshire, but I had to drive through north Wales to get to school every day, so I know the area and the links incredibly well. That border is not an economic border at all. Wrexham and Chester, north Wales and Cheshire are all one area when it comes to the economy, and I look forward to working with him on the bid.

Robert Neill (Bromley and Chislehurst) (Con): We do have a couple of farms in Bromley and Chislehurst and it is green-belt land. Will the Minister look to see what can be done to rectify the discrepancy between availability of fast and ultra-fast broadband schemes and actual delivery on the ground? In some cases in my constituency, availability might be 93% and 94%, but actual delivery is about 27% or 30%.

Matt Hancock: My hon. Friend is absolutely right. This issue of take-up—how many people take up the broadband that is available—is very important. As availability gets to more than 95%, we are increasingly looking at the levels of take-up that we need to get up to.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): The Minister will know that Network Rail is piloting the use of its network of global systems for mobile communications-railway masts for public mobile and internet access in rural areas. What discussions has his Department had with the Department for Transport and Network Rail about rolling out more pilot areas, and does he agree that Devon and Cornwall would make an excellent second pilot area?

Matt Hancock: Yes, I do. I have had a whole load of conversations with the Transport Secretary, Transport Ministers and Network Rail to make sure that we drive
out connectivity where people live, work and travel, and the rail network is critical for a third of those. This morning, I was delighted to see the plans from Network Rail of a digital railway, and we need to get on with that as quickly as possible.

**Historic Landmarks**

5. Maggie Throup (Erewash) (Con): What steps he taking to protect historic landmarks. [905197]

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis): With the benefit of advice from Historic England, the Government protect nationally important heritage assets in several ways, including by conferring statutory protection through the designation system and regulating change through planning policy. In addition, more than 400 buildings and sites in the National Heritage collection are managed on behalf of the nation by the English Heritage Trust, including iconic landmarks such as Stonehenge and Hadrian’s Wall.

Maggie Throup: With only two remaining wrought iron viaducts in England, Bennerley viaduct is a grade 2 listed structure, which spans the Erewash valley, linking my constituency with that of my right hon. Friend, the Member for Broxtowe (Anna Soubry). The community group, the Friends of Bennerley Viaduct, wants to see it restored and linked to the National Cycle Network, but as its most recent heritage lottery bid failed, it fears that the revised plans from Sustrans and Railway Paths Limited appear to lack ambition. Will the Minister look at what more his Department can do to support this community group and help save Bennerley viaduct for the nation?

Michael Ellis: I am aware of the project to which my hon. Friend refers. It was previously funded by the Heritage Lottery Fund, and a bid for further funding was made last year. Our arm’s length bodies, including Historic England and the Heritage Lottery Fund, provide tremendous support to those looking after local heritage. In this particular case, I know that both organisations are keen to work with the owners and the friends groups to develop a successful scheme.

Nick Thomas-Symonds (Torfaen) (Lab): I declare an interest as chair of the all-party group on industrial heritage. That group has recently published a report on how best to utilise our industrial heritage for the economy of the future. Will the Minister meet me to discuss its many recommendations?

Michael Ellis: I thank the hon. Gentleman and his group for the work that they have done on that report, and I am very happy to meet him at our earliest convenience.

**Music Industry**

6. Sir David Amess (Southend West) (Con): What assessment he has made of the contribution of the music industry to the UK. [905198]

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): We are the champions of British music. Music contributes a price tag of £4 billion to the economy, but it is not about the money. Britain’s music is our global calling card, so we will keep on supporting it, so that it is rocking all over the world.

Sir David Amess: UK music is the best in the world, except, seemingly, when it comes to the Eurovision song contest. I celebrate the fact that Southend-on-Sea has a wealth of musical talent. Will my right hon. Friend tell me what further assistance can be given to aspiring performers?

Matt Hancock: We have put a huge amount of effort, policy and enthusiasm behind Britain’s music industry, which is gangbuster at the moment. Protecting intellectual property and supporting music and education is a critical part of this. We obviously take inspiration from Southend’s famous sons, including Busted, but, unlike Busted, we are determined that it will not take until the year 3000 for us to get there.

Thangam Debbonaire (Bristol West) (Lab): Along with my hon. Friend the Member for Bristol East (Kerry McCarthy), I recently held a roundtable for Bristol’s fantastic music venues, which, despite very great hard work, face many struggles. Given that every big star, including all the ones that the Secretary of State just named, has to start somewhere, what is he doing to help our fantastic music venues?

Matt Hancock: Supporting music venues is a key part of it. That includes making sure that if somebody moves in next door, the agent of change principle applies in the planning process, meaning that they cannot complain about a pre-existing music venue. This is a really important change, and one of many that we are making to support music venues.

Michael Fabricant (Lichfield) (Con): Does my right hon. Friend share my dismay that Brexit does not mean that we are leaving the Eurovision song contest?

Matt Hancock: We should apply to the Eurovision song contest a principle that I try to apply to my life: whenever something goes wrong, we should try, try and try again, and maybe we will eventually get there.

John Spellar (Warley) (Lab): May I thank the Secretary of State for his positive contribution, along with that of the previous Secretary of State for Housing, Communities and Local Government, in introducing the agent of change principle that he just mentioned into the planning consultation process? I urge him to approach the new Secretary of State urgently to impress on him the importance of this change, as he just described it, for musicians and the music industry, and to get this into parliamentary regulations before the summer?

Matt Hancock: Yes, I should have paid tribute to the right hon. Gentleman’s campaign for the agent of change principle. It now exists as a draft measure, and I am absolutely determined to make it a reality.

**Ticket Prices: National Sporting Events**

7. Mike Amesbury (Weaver Vale) (Lab): What steps he is taking to help ensure the affordability of ticket prices for national sporting events. [905199]
The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): I support a fair deal for fans who want to attend national sporting events in person, but respect that ticket pricing policies should remain a matter for event hosts. However, I personally keep under constant review the cost for all ages of attending live sports.

Mike Amesbury: I am sure that the Minister will want to join me and my hon. Friend the Member for Halton (Derek Twigg) in congratulating Runcorn Linnets on winning the Hallmark Security League Premier Division title this week. Although my constituents can watch the Linnets for a relatively reasonable price—a very low cost—people attending major events cannot, as prices have rocketed in recent years. Will the Minister outline what steps the Government are taking to ensure that major sporting events are accessible and affordable to all?

Tracey Crouch: I of course join the hon. Gentleman in congratulating the Linnets on their success. I know that he is personally a passionate Man United fan; it is through gritted teeth that I wish his team well on their post-season tour to Myanmar. I appreciate fans’ concerns about costs. I always keep these under review. We have worked hard with the likes of the Football Association and the Premier League to ensure that costs are kept down as much as possible. As he will know, the Premier League has done a deal to ensure that tickets for away fans are capped at £30. We do keep these things under control.

Mike Amesbury: I am aware of the fact that netball was formed in my Dartford constituency. The sport is growing in popularity and, of course, the England netball team recently won gold at the Commonwealth games. Will she join me in welcoming the fact that the next netball world cup is to be hosted by England, where we hope not only that ticket prices will be reasonable, but that England will prevail once again?

Tracey Crouch: I am aware of the fact that netball was formed in my hon. Friend’s constituency, which I am due to visit shortly. I congratulate the England team on their success at the Commonwealth games. We look forward to seeing Tracey Neville’s team participate in the world cup, and we hope that the ticket prices will be affordable because netball is growing in popularity.

Dr Rosena Allin-Khan (Tooting) (Lab): Any deal to sell Wembley stadium needs to benefit fans and grassroots football. We must ensure that fans are not priced out, which is why Labour has called for ticket prices to be frozen for at least 10 years and for the current list of cup and play-off matches to be guaranteed. We want these clauses to be written into any deal to sell Wembley stadium. Will the Minister back our recommendations?

Tracey Crouch: May I start by wishing the hon. Lady a happy birthday? I also congratulate her on her important contribution to the discussion about Leeds United’s post-season tour to Myanmar. I agreed wholeheartedly with her, although I know that the team has begun that tour. I have discussed Wembley with the FA and have secured a commitment that it will not increase costs above inflation for another five years. We are looking at issues around the sale of Wembley in close detail, and I am sure that the matters raised by the hon. Lady will be discussed.

UK Tourism

8. Glyn Davies (Montgomeryshire) (Con): What steps his Department is taking to support tourism throughout the UK.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis): The Government’s tourism action plan outlines the way in which we support tourism throughout the UK, namely by investing in product and transport, improving skills, introducing common-sense regulation, and providing the great welcome that we do in this country. We also provide £19.6 million to VisitBritain and nearly £7 million to VisitEngland each year to promote the UK as a tourist destination. They also receive £22.8 million of GREAT funding to support promotion.

Glyn Davies: The first stop for overseas visitors is so often London, but it is important that the economic benefits flowing from overseas visits are spread throughout Britain, and particularly to Wales. What steps is the Minister taking to ensure that visitors are encouraged to visit what Wales has to offer, including Powis castle in my constituency?

Michael Ellis: I recognise that tourism in Wales is important to my hon. Friend, who previously had a tenure on the Welsh tourism board. I am very keen to see visitors to the UK explore as much of the UK as possible. In fact, I recently held a roundtable with the Under-Secretary of State for Wales, my hon. Friend the Member for Pudsey (Stuart Andrew), and a selection of Welsh tourism businesses to discuss how tourism in Wales is performing and what more we can do to support it.

Rachael Maskell (York Central) (Lab/Co-op): What assessment has the Minister made of the effect of leaving the EU on the skills base particularly of EU citizens in the hospitality and hotel sector?

Michael Ellis: Fortunately, we have a very robust hospitality sector in terms of skills. Indeed, we have confidence in our sector to support the huge demands that there are for tourism and people coming to this country.

Youth Services

9. Lilian Greenwood (Nottingham South) (Lab): What recent assessment his Department has made of the potential merits of introducing a statutory duty on local authorities to provide youth services.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): The Government already place a statutory duty on local authorities to secure sufficient positive activities for young people so far as is practicable.

Lilian Greenwood: I am proud that Nottingham’s play and youth service still delivers in every ward of our city. Its early intervention work with young people who are troubled or at risk can reduce the need for more costly interventions later. However, since the Government’s
cuts forced the play and youth services to merge, they have lost more than half their staff since 2010. When are the Government going to stop this short-sighted thinking and start tackling the crisis in local authority youth services by giving them the funding they need?

**Tracey Crouch:** I am sorry to hear that the hon. Lady’s council has made those changes to youth services. I am aware of some other projects in her area that are funded by the Government, including the myplace centre, and #iwill has funded other projects in Nottingham. We are providing £80 million in partnership with the Big Lottery Fund through youth investment and #iwill funds, and we also have £90 million of dormant accounts funding that will help young people facing barriers to work.

**Tim Loughton** (East Worthing and Shoreham) (Con): In 2011, the Government produced a policy document, “Positive for Youth”, which proposed new partnership models of working between businesses, local authorities, charities and not-for-profit organisations to counter the diminishing provision of youth services. What is the status of that policy?

**Tracey Crouch:** To be honest, I am unsure, but we are looking at youth policy as part of the civil society strategy, and I am happy to meet my hon. Friend to discuss this further.

**Cat Smith** (Lancaster and Fleetwood) (Lab): The Minister refers to the £90 million that is going to be made available to youth programmes via dormant accounts, but will she acknowledge that this makes up just 17% of the shortfall of £765 million that has been cut from our youth services since 2011? When are the Government going to get serious and give local authority youth services the funding they so desperately need?

**Tracey Crouch:** First, I wish the hon. Lady well in her next venture, which I understand is due shortly. I hope that she will take a decent amount of maternity leave, as I did; it is well worth it.

Funding for youth services is a matter for local authorities. I work very closely with colleagues across Departments to make sure that the funds that I have available are going to the right areas of youth provision, and I will continue to do so.

**Several hon. Members rose—**

**Mr Speaker:** We are out of time, but I am going to take a couple more questions if people respect the fact that we are running late. Graham P. Jones—a very short question.

**Charity Regulation**

10. **Graham P. Jones** (Hyndburn) (Lab): What steps he is taking to increase public trust in charity regulation, and in recognition of the increased demand for its services, I have provided additional funding of £5 million.

**Graham P. Jones:** There have been several scandals with charities in Haslingden and Hyndburn, and I think the public are deeply concerned that the charities legislation and the Charity Commission are failing in their duties. I personally do not think they are fit for purpose. Will the Minister meet me to discuss those matters and how we can make charities more trustworthy?

**Tracey Crouch:** I am aware of the two cases that the hon. Gentleman refers to, and I will be happy, as always, to meet him.

**Mr Steve Reed** (Croydon North) (Lab/Co-op): May I start by wishing good luck to SuRie, who I am sure Members are aware is the UK’s entry in the Eurovision song contest on Saturday night?

The National Fund is a charitable trust with almost half a billion pounds of assets. It has been seeking Government permission to close and release its funds for charitable purposes since 2011. That money would be a lifeline to cash-starved charities up and down the country. Why have the Government dithered for seven years, rather than making that money available to charities?

**Tracey Crouch:** We work very closely with the Charity Commission and look at these issues on a daily basis. I will happily meet the hon. Gentleman to discuss that issue further. I am sure there are good reasons behind the delay in the process, but my door is always open, as he knows.

**Museum Sector**

12. **Luke Hall** (Thornbury and Yate) (Con): What steps he is taking to support the museum sector.

**Mr Speaker:** A sentence will suffice—Luke Hall.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis): The Government are deeply committed to supporting our world-leading museum sector. The recent Mendoza review of museums in England found a thriving sector, supported by more than £800 million of public funding.

**Mr Speaker:** Finally—we do not want him to be left out—Julian Knight.
Public Broadcasting

13. Julian Knight (Solihull) (Con): What steps his Department is taking to ensure that public broadcasters reflect and provide for the whole of the UK. [905206]

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): It is very important that our broadcasting sector reflects and provides for the whole country. Moving Channel 4's national HQ outside of London is part of that, but there is much more besides.

Julian Knight: Although I thank the Secretary of State for his leadership on Channel 4, does he agree that chronic under-investment in the west midlands by the likes of the BBC is a grave injustice and that the 5.5 million people in the west midlands deserve a better deal?

Matt Hancock: The west midlands has an awful lot to say for itself, in terms of more broadcasting. The move of BBC 3 to Birmingham soon is a step in the right direction, but I am sure there is much more to do.

Topical Questions

T1. [905210] Mr Alistair Carmichael (Orkney and Shetland) (LD): If he will make a statement on his departmental responsibilities.

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): It has been another busy month for the Department. We have announced the artificial intelligence sector deal and the creative industries sector deal, agreed an ambitious new tech partnership in India and piloted the Data Protection Bill through the House, while protecting press freedoms.

I will, if I may, take a moment to congratulate my colleague and very honourable Friend, the Minister for Sport and Civil Society. She reaches a milestone of three very successful years in post on Saturday, and here's to many more to come.

Mr Carmichael: I will never forget the day that David Cameron set up the Leveson inquiry, because on that day I met the family of the late Milly Dowler, and you just had to spend a few minutes in their company to understand how radically their lives had been affected by press intrusion. That is why we set up the Leveson inquiry in 2011. That is why David Cameron stood at the Dispatch Box in 2012 and promised the victims of press intrusion that there would be a second part to that inquiry. Can the Secretary of State tell the House what has changed?

Matt Hancock: As the right hon. Gentleman says, there has been bad behaviour by the press, but what has changed is that we have to look forward to how we address things now. Strengthening the Independent Press Standards Organisation and the improvements that we made to the Data Protection Bill yesterday are all about ensuring that we have a system for the future which ensures that the press is reasonable and fair but can also thrive in the difficulties of a digital age.

Jack Lopresti (Filton and Bradley Stoke) (Con): In my constituency, the Bristol Robotics Laboratory, based in the University of the West of England, is recognised as the UK's leading academic centre for robotics. Can my right hon. Friend tell me what steps his Department is taking to support emerging technologies, and AI in particular?

Matt Hancock: We are enormously enthusiastic about the advances in robotics, including in my hon. Friend's constituency, and I would love to hear more about that laboratory. We put £1 billion of public and private funds into AI just two weeks ago, and there is a lot more to do to ensure that we remain world leaders in this amazing technology.

Kevin Brennan (Cardiff West) (Lab): I am sure the whole House will want to congratulate Cardiff City on their rightful return to the premier league.

When the Secretary of State was scouring the newspapers this morning searching for favourable headlines about himself, did he see the story in The Times relating to the fixed odds betting terminals decision and the need to reduce the maximum stake to £2? The intervention by the Secretary of State for Work and Pensions, the right hon. Member for Tatton (Ms McVey), has apparently blocked the Secretary of State from being able to make that announcement. Who is in charge of gambling policy in this country—him or the right hon. Member for Tatton?

Matt Hancock: Me.

T5. [905215] Stephen Kerr (Stirling) (Con): The recently announced CityFibre-Vodafone partnership will make ultrafast, gigabit-capable, full-fibre broadband a reality for Stirling's residents and businesses. What steps will my right hon. Friend be taking to further encourage private sector involvement in the construction of digital infrastructure?

Matt Hancock: I thoroughly enjoyed my visit to Stirling, where I saw on the ground the leadership my hon. Friend has shown in making sure that Stirling is a fully connected, future-facing city. He has lobbied me endlessly to make sure that we can get the strongest possible connectivity, including full-fibre connectivity, in Stirling. He is doing a sterling job.

T2. [905211] Daniel Zeichner (Cambridge) (Lab): The Secretary of State will be aware of the recent in-depth report by the highly regarded Lords Committee on Artificial Intelligence. Among its recommendations, it calls on the Government, with the Competition and Markets Authority, to proactively review the use and potential monopolisation of data by big tech companies in the UK. What is the Secretary of State doing about its recommendation?

Matt Hancock: We are studying those recommendations closely. That report by the Lords Select Committee was one of the best reports by a Lords Select Committee I have ever read, so we are taking it extremely seriously.

T6. [905216] Michael Fabricant (Lichfield) (Con): I never thought I would say it, but HS2 will mean shorter journey times between the west midlands and London,
so does that not make the region an obvious choice for Channel 4? When will it make the decision to change its headquarters?

Matt Hancock: It has made the decision to move its national headquarters, and it will make the decision about where to move them before the end of this year, with the move taking place next year. The case that my hon. Friend makes for Birmingham is a very strong one.

T7. [905217] Deidre Brock (Edinburgh North and Leith) (SNP): What steps is the Secretary of State taking, and what resources does he intend to provide, to facilitate the UK’s commitments under the European charter for regional and minority languages?

Matt Hancock: I am a great fan of minority languages. I grew up just on the Welsh border; I love the Welsh language, and I have strengthened the support for S4C through the S4C review. I am in discussions with the hon. Lady’s colleagues about BBC Alba as well.

Kevin Hollinrake (Thirsk and Malton) (Con): Fixed wireless could provide an immediate solution to superfast broadband in rural areas. Openreach knows this, but constantly refuses to deploy it. Will my right hon. Friend do all he can to persuade it to change its mind?

Matt Hancock: Yes, I will. In terms of using technologies to get broadband rolled out, we should use whatever technologies are best in the location and the geography that there is. Of course, North Yorkshire has very big spaces, and fixed wireless is often the best approach.

Derek Twigg (Halton) (Lab): I declare an interest as a season ticket holder at Liverpool. Does the Minister agree that it is appalling that Liverpool football club has been allocated only 16,626 tickets for the Champions League final, some of them costing up to £400? Liverpool is one of the best-supported clubs in the world. This is not really paying due respect to the fans who support the game.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): That is a matter for UEFA, but I share the view that we want to make sure that Liverpool fans get the opportunity to go along and celebrate being in the Champions League final.

Kirstene Hair (Angus) (Con): Recently in my constituency, I delivered surveys in rural areas to see how my constituents felt about the mobile coverage that was being delivered. I have had over 200 responses in the last week, and many people are not particularly happy with what is being delivered in their areas. What is my right hon. Friend doing to ensure that these notspots are eliminated?

Matt Hancock: My hon. Friend is absolutely right that, while we have improved mobile coverage, and 90% of the country is now covered, 10% still is not. We are therefore going to put requirements on the mobile phone companies, so if they get licences in future spectrum auctions, they are going to have to do more in rural areas.

Jessica Morden (Newport East) (Lab): What are Ministers doing to tackle the issue of scam adverts online, as highlighted by Martin Lewis recently?

Matt Hancock: I have seen with interest Martin Lewis’s legal action against Facebook. We are following that with great interest. The internet safety strategy will be coming out in the coming weeks, and that will address these issues.

Douglas Ross (Moray) (Con): Yesterday’s Ofcom report stated that Scotland had the lowest average rural download speeds anywhere in the UK. That has a huge impact on my constituency, so what are both of Scotland’s Governments doing to address that?

Matt Hancock: Overall in the UK, we have seen improvements of over 28% in download speeds over the past year, but it is frustrating that we have not been able to get as much broadband coverage in Scotland as we could have done because the SNP Government in Holyrood have been sitting on millions of pounds of UK cash for over four years now.

Alex Norris (Nottingham North) (Lab/Co-op): In March, a Populus poll of premier league fans showed that 72% supported the introduction of standing areas at football grounds. Why does the Minister believe that only a “vocal minority” want this to happen, and where did she get the figures for such an assertion?

Tracey Crouch: I speak regularly with the Premier League, which has done many surveys on this issue. While I regret using the phrase “vocal minority”, it is true that only 5% of fans would themselves like to stand, but I appreciate that there is a wider group of very passionate fans who think that standing should be reintroduced.

Philip Davies (Shipley) (Con): What assessment has the Secretary of State made of yesterday’s article in The Daily Telegraph by Adrian Parkinson, who led the campaign against FOBTs for the Campaign for Fairer Gambling? In it, he said that the campaign was “greased in hyperbole, spin, misconstrued evidence and, worst of all, commercial jealousy”, that there is no justification at all for a £2 maximum stake, and that “the Government has fallen for the spin and hyperbole—hook, line and sinker.”

Matt Hancock: I did see the article, not least because my hon. Friend sent it to me via WhatsApp, and it is safe to say that I did not agree with all of it.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Scottish Government are having to invest £25 million to cover some of the mobile notspots, so rather than talking about future licensing requirements, when are the UK Government going to come up with cash to help with Scotland’s geography?

Matt Hancock: A very significant proportion of the mobile masts that went up thanks to our UK taxpayer-funded emergency services network were in Scotland, and the drive for greater geographical mobile coverage will benefit Scotland disproportionately.
Robert Courts (Witney) (Con): What is being done to help with mobile phone signals, particularly in rural areas such as west Oxfordshire where a signal is vital for businesses?

Matt Hancock: We are doing everything we can to speed up the roll-out in rural areas.

Carolyn Harris (Swansea East) (Lab): Since the Government launched their review of gambling, more than £2.8 billion—£57 a second—has been lost on fixed-odds betting terminals. I urge the Secretary of State to put an end to this misery.

Matt Hancock: I pay tribute to the hon. Lady for her work on this subject and the cross-party effort she has led. We have looked at all the evidence, and we will be coming out with our response shortly.

Martin Vickers (Cleethorpes) (Con): Ministers will know that Cleethorpes is the premier resort of the east coast, and we much appreciate the support that has come through the coastal communities fund, but what policies do Ministers have further to enhance the support for seaside resorts?

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis): We are supporting seaside resorts—in fact, we are supporting locations all around the country—because tourism is a vital asset for Cleethorpes and many other areas.

Stephen Morgan (Portsmouth South) (Lab) rose—

Michelle Donelan (Chippenham) (Con) rose—

Mr Speaker: As I am in a very generous mood, in fact, we are supporting locations all around the country—but tourism is a vital asset for Cleethorpes and many other areas.

The Solicitor General (Robert Buckland): The serious violence strategy, published on 9 April, sets out our response to serious violence, which includes knife crime. We will legislate to tighten the law in this area, and the Crown Prosecution Service continues to work with law enforcement agencies to tackle knife crime and other forms of serious violence.

Damian Collins: Following Donald Trump’s speech to the National Rifle Association, does the Solicitor General agree that the streets of London would be far more dangerous for communities if criminals and gang members were armed with automatic weapons rather than knives? Does he agree that while longer sentences for knife offenders are important, we also need to do more to understand the underlying causes of knife crime and gang violence?

The Solicitor General: My hon. Friend is right about the need to tackle the underlying reasons for knife crime, whether that is carried out by gangs or young people in isolation. That sort of work is far more valuable than attempts by the President of the United States to channel Sean Connery in “The Untouchables”.

Damien Moore: How can the Minister alleviate concerns over recent reports in the national press about the prevalence of knife crime in our towns and cities? What action are the Government taking to co-ordinate an approach to those offences?

The Solicitor General: My hon. Friend speaks with bitter and sad experience, given the appalling case in his constituency, and I send my condolences to everybody concerned. It is clear that we are seeing a rise in the use of knives in some of our towns and cities. Some of that information is a result of better police work and increased reporting, but there is no doubt that we have a challenge to face, particularly with our young people. I am glad that the strategy we have set out deals not only with prosecution, but with the root causes of knife crime. We must teach young people about the dangers of knife crime at appropriate times, and both after and before such offences are committed.

Jim Shannon (Strangford) (DUP): The 42.2% rise in knife crime in schools on the mainland is in stark contrast to the one conviction per year in Northern Ireland’s schools. What discussions has the Solicitor General had with his devolved counterparts about the approach to juvenile convictions in Northern Ireland?

The Solicitor General: I am interested in the work being done not only in Northern Ireland, but in Scotland, and I am a member of the inter-ministerial group that deals with these issues. We are working with, and obtaining as much information and learning as possible from, the devolved parts of the United Kingdom so that we can improve our approach. This is not just a question of crime; it is a question of health education, and if we deal with it in that way, we might start to crack the problem.

Joanna Cherry (Edinburgh South West) (SNP): In Scotland, crimes involving a weapon are down by two thirds since 2007, and the Scottish Government’s whole-system approach to youth crime incorporates innovative...
approaches from the prosecution service in Scotland, including diversion from prosecution where appropriate. Will the Solicitor General follow Met Commissioner Cressida Dick in coming to Scotland to view the excellent work being done on knife crime there?

**The Solicitor General:** The hon. and learned Lady develops the point made by the hon. Member for Strangford (Jim Shannon), and I would be keen to learn more. I have already started that process by delving into the Scottish experience, and I am glad that the learning and experience in Scotland is being absorbed into thinking and policy development south of the border. I would be happy to take up the hon. and learned Lady’s invitation.

**Domestic Violence**

2. **Liz McInnes** (Heywood and Middleton) (Lab): What recent discussions he has had with the CPS on its effectiveness in prosecuting cases involving domestic violence.

**The Attorney General (Jeremy Wright):** I discuss domestic abuse regularly with the CPS, which continues to improve its performance in that area. In the 10 years between 2007 and 2017, the number of convictions secured rose by 61%. The conviction rate rose to its highest ever level of 75.7% last year.

**Liz McInnes:** I thank the Attorney General for that answer, but he will appreciate that stark regional variations in the rates of prosecution for domestic abuse exist throughout the country. What specific steps will he take to ensure consistency and fairness right across the country?

**The Attorney General:** The hon. Lady is right to say that there is variation including, as she knows, in the number of cases referred to the CPS by the police. Of course, the CPS cannot prosecute unless a case is referred to it. We must ensure that those variations are understood and ironed out where possible, and the CPS is working closely with the police at a regional and national level to ensure that that happens.

**Mr Philip Hollobone** (Kettering) (Con): Which regional CPS prosecutes domestic violence the best and which prosecutes it the worst, and will the Attorney General put the two together to compare notes?

**The Attorney General:** As ever, my hon. Friend finds out the homework that I have not done, but if I can get back to him with those figures, I will. To reinforce the point I made to the hon. Member for Heywood and Middleton (Liz McInnes), it is important that the CPS understands where regional variation occurs and the reasons for that and, where possible, we must ensure that lessons from the best are learned by the worst.

**Nick Thomas-Symonds** (Torfaen) (Lab): Despite the fact that, as we know, far too many victims of domestic violence still do not come forward, the violence against women and girls crime report shows that the overall volume of domestic violence prosecutions fell from 100,913 in 2016 to 93,519 in 2017. Does the Attorney General expect that figure to start rising again this year?

**The Attorney General:** As I indicated, I think that part of that is to do with referrals. It is important to be clear about what is driving the figures, and I think a large part is those cases that are not referred by the police to the CPS for prosecution at the moment.

The hon. Gentleman raises a good point about the wider picture. It is important that we do all that we can to ensure that victims of domestic violence feel able to come forward to report what has happened to them and that they feel confident that the criminal justice system will deal with them sensitively. He will know that we have put in place a range of measures—not least to enable giving evidence to be somewhat easier—to make sure that that happens.

**Nick Thomas-Symonds:** The Attorney General is right to refer to referrals, but it is important that we do all that we can to ensure that the criminal justice system supports victims. If the figure does not rise in 2018, will he undertake to look again at the domestic abuse guidelines for prosecutors to ensure that we are doing all we possibly can in this area?

**The Attorney General:** I will certainly do that. It is important that we keep the figures under constant review. The hon. Gentleman will know that the Government are engaged in a consultation, to which we have already had some 800 responses, on the broader picture of domestic abuse. It is important that we look at both legislative and non-legislative options to make sure that across the board we are doing all we can to support victims.

**Maggie Throup** (Erewash) (Con): Does my right hon. and learned Friend agree that new technologies such as video evidence give victims of domestic abuse greater access to justice by helping them to come forward and challenge their abusers?

**The Attorney General:** I agree with my hon. Friend. It is important, where we can, to be sensitive to vulnerable witnesses who do not wish to face the defendant. Through the roll-out of pilots involving pre-recorded cross-examination as well as examination-in-chief, they will be able to get their part in the case over with entirely without going into the court room.

**Thangam Debbonaire** (Bristol West) (Lab): Following prosecution, effective perpetrator interventions, such as those with which I worked before I became an MP—I declare an interest—can help to prevent domestic violence offenders becoming repeat offenders. Will the Attorney General encourage Members across the House to join the all-party group on perpetrator programmes, which I am launching next week?

**The Attorney General:** I am not sure if I am allowed to do endorsements, Mr Speaker, but I entirely agree with the hon. Lady. What she refers to is incredibly important. I am sure all Members would wish to pay tribute to the work she has done. It is important, because we need to make sure that, across the spectrum of activities we can carry out, we do all that we can to reduce the incidence of domestic abuse before it happens. It is far better, as she says, to do that than to deal with these matters through prosecution. I hope that she will be able to contribute to the consultation that is under way and give it the benefit of her wisdom.

**Tim Loughton** (East Worthing and Shoreham) (Con): Will the Attorney General speak to colleagues in the Department for Education about the merits of training
more domestic violence specialist social workers, given that about three quarters of child safeguarding cases involve domestic violence? That might help with prevention and provide more information that can lead to successful prosecutions.

The Attorney General: I agree with my hon. Friend, who makes a very good point. It is important that we look at ways in which we can prevent as well as cure through the prosecution process. Social workers have a hugely important part to play and we want to make sure that we work with them.

Unduly Lenient Sentence Scheme

3. Chris Philip (Croydon South) (Con): What recent assessment he has made of the effectiveness of the unduly lenient sentence scheme. [905221]

6. Sir Desmond Swayne (New Forest West) (Con): What recent assessment he has made of the effectiveness of the unduly lenient sentence scheme. [905225]

The Attorney General (Jeremy Wright): The unduly lenient sentence scheme remains an important avenue for victims, family members and the wider public to ensure that justice is delivered. In 2017, the Solicitor General and I referred 173 cases to the Court of Appeal for consideration. Of those, the Court agreed that 144 sentences were unduly lenient and increased 137 of them.

Chris Philip: I thank the Attorney General for that answer. Will he explain the process by which a referral is made and how decisions are taken, because it is very important that victims’ families understand it.

The Attorney General: I agree with my hon. Friend. In the time that we have held our positions, the Solicitor General and I have been very keen to ensure that there are no procedural barriers to prevent anyone making use of the unduly lenient sentence scheme. There is no particular rubric or form that needs to be filled in. All that anyone who is concerned about a criminal sentence needs to do is to contact the Attorney General’s office. If the case is within the scheme, we will look at it. What will then happen is that if either the Solicitor General or I believe that a sentence is unduly lenient, we will make a reference to the Court of Appeal. In the end, the Court of Appeal will decide.

Sir Desmond Swayne: All sentences are too lenient. What is the Attorney General going to do to extend the scheme?

The Attorney General: I am not sure that I agree with the first part of my right hon. Friend’s question, but in answer to the second part, he will know that the Conservative party has now set out in two successive general election manifestos our commitment to extending the scheme. He will know that we have made a very good start by extending it last August to several additional terrorism offences. He and I both hope that we will be able to go further.

Melanie Onn (Great Grimsby) (Lab): Recently, 26 out of 30 people who were involved in a pack-style attack were sentenced after some excellent work by Humberside police, but my constituents in Grimsby are really alarmed that they have effectively been given a sentence of litter picking. Does the Attorney General agree that that sends the wrong message about such group attacks on defenceless individuals?

The Attorney General: I understand what the hon. Lady says, but she will understand, of course, that I would need to see a great deal more detail to make a judgment about that sentence. If that is a relatively recent sentence, I encourage her to refer it, if she wishes, to the Law Officers so that we can look at it. I advise her that there is a 28-day statutory time limit after the point of sentence, so if she can, I would ask her to get on with it.

Mr Speaker: If the right hon. Member for New Forest West (Sir Desmond Swayne) were not already on the Christmas card list of his hon. Friend the Member for Shipley (Philip Davies), it is a safe bet that he is now. I call Mr Philip Davies.

Philip Davies (Shipley) (Con): I commend the Attorney General and the Solicitor General for what they do in appealing unduly lenient sentences, which they carry out with great skill—I am very impressed by their work. However, the Attorney General said that he hopes that the scheme will be extended, and he also said that we have been promising this for quite some time, so can he give us a date for when we will extend the unduly lenient sentence scheme?

The Attorney General: As I said to the House a moment ago, the scheme has already been extended—a number of terrorism offences have been brought under the scheme—but my hon. Friend knows that I share his enthusiasm for further extension. It seems important to me that victims of crime, and members of the public more broadly, can access the scheme across a broader range of offences so that when mistakes are made, which he will recognise is a rare event in the criminal justice system—about 80,000 criminal cases are heard in the Crown court every year and, as I indicated, 137 sentences were increased last year—they can be remedied.

Bob Blackman (Harrow East) (Con): My right hon. learned Friend will be aware of a case that I referred to him, which he said was out of the scope of the scheme. I urge him to look at expanding the scope of the scheme so that justice is done, and is seen to be done, particularly by victims of crime.

The Attorney General: Yes, and for the reasons that my hon. Friend gives, that is exactly what we should do.

Hate Crime

5. Simon Hoare (North Dorset) (Con): What steps the CPS is taking to implement the Government’s plan to tackle hate crime. [905224]

The Solicitor General (Robert Buckland): The Crown Prosecution Service continues to play its part in delivering the cross-Government hate crime action plan. In the last year, 14,480 hate crime prosecutions were completed and the conviction rate was 83.4%.
Simon Hoare: In thanking my hon. and learned Friend for that answer, may I ask him what steps the CPS is taking to improve prosecution rates for disability hate crimes?

The Solicitor General: Disability hate crime has long been a concern of mine, and it is very much the poor relation when it comes to these offences. They are difficult to deal with, because very often victims feel that the incident is part of their normal life and that they should suffer in silence. The message must go out clearly that that should not be the case. I am glad that there has been an increase in prosecutions and an increase in the use of sentencing uplifts, through which judges can increase sentences to reflect aggravating factors such as disability hate.

Alex Norris (Nottingham North) (Lab/Co-op): Tonight, Nottingham Citizens, of which I am a patron, will launch its “Still No Place For Hate” report. It will highlight the fact that almost a third of people surveyed had experienced hate crime related to protected characteristics and that much of that had gone unreported. What assurances can the Attorney General give people in Nottingham that if they do report such crime, it will be prosecuted properly?

The Solicitor General: I welcome the publication of the report to which the hon. Gentleman refers. I went to Nottingham only a few months ago to visit the east midlands Crown Prosecution Service, and I know that if he works with it—either through me or directly—he will find out more about the actions that it is taking. I assure him that it has a structured plan and takes all strands of hate crime extremely seriously.

Director of Public Prosecutions

7. Jo Stevens (Cardiff Central) (Lab): What progress has been made on the appointment of the Director of Public Prosecutions.

The Attorney General (Jeremy Wright): The recruitment campaign for the next Director of Public Prosecutions is under way and is due to close on 14 May. The job requires excellent legal judgment, the ability to lead a large organisation and the capacity to work with others in improving the criminal justice system as a whole. This is an exciting time to be joining the Crown Prosecution Service and to play a pivotal role in shaping the organisation for the future.

Jo Stevens: The Attorney General will be aware that many concerns about disclosure have been an issue with the CPS in recent months. Can he confirm that the new DPP will have enough resources to tackle this time-intensive task?

The Attorney General: The hon. Lady knows that I am aware of those concerns, and she also knows that we are looking at disclosure more broadly, as I instituted a review in December last year. She is, however, right to say that one of the primary tasks of the present DPP, as well as the next one, is to get disclosure right throughout the range of cases taken on by the CPS. I will continue to discuss resources with the DPP and, indeed, Government colleagues.

Robert Neill (Bromley and Chislehurst) (Con): Will the Attorney General bear in mind the widely held opinion that the important, delicate and often finely balanced judgments that the DPP must make require informed views that result from lengthy frontline experience of prosecuting serious cases day in, day out, at the highest level, and that that must be an important consideration when selecting the successor to the current DPP?

The Attorney General: My hon. Friend is right. He is aware of the statutory requirement that applicants have at least 10 years’ practising experience, but the matter that he raises will also be an important consideration.

Gangs: Exploitation of Vulnerable People

8. Gillian Keegan (Chichester) (Con): What steps the CPS is taking to increase its effectiveness in prosecuting crimes involving the exploitation of vulnerable people by gangs.

9. James Cleverly (Braintree) (Con): What steps the CPS is taking to increase its effectiveness in prosecuting crimes involving the exploitation of vulnerable people by gangs.

The Solicitor General (Robert Buckland): The exploitation of vulnerable people to traffic drugs across the country through county lines activity is abhorrent, and the CPS does consider modern slavery legislation when it comes to relevant charging decisions.

Gillian Keegan: In Chichester, drug dealers are regularly taking over the homes of vulnerable people who suffer from mental health problems or from drug dependency themselves in a process known as cuckooing. Sussex police tell me that they struggle to identify the gang leaders who control the cuckoos as they are based outside the county. What steps is the CPS taking to prosecute those gang leaders effectively, so that others are deterred from exploiting the most vulnerable in society?

The Solicitor General: My hon. Friend is right to raise the issue of cuckooing and the need for local police forces such as Sussex to collaborate with other forces. A good example was a case last month in which two London-based gang members were convicted in Swansea Crown court of trafficking a teenage girl to the city to deal heroin and crack cocaine.

James Cleverly: Essex, being one of the home counties, suffers from the displacement effect of gang activity from London, and we have unfortunately seen pockets—it is only pockets at this stage—of violent gang activity in the county. What financial resources are the Government allocating to tackle serious gang violence?

The Solicitor General: My hon. Friend has correctly characterised the nature of some of this gang offending. The Government’s serious violence strategy involves a new commitment of £40 million over two years, which includes £11 million for the early intervention youth fund and £3.6 million for the new national county lines co-ordination centre.
ROYAL ASSENT

Mr Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts and Measures:

- Laser Misuse (Vehicles) Act 2018
- Financial Guidance and Claims Act 2018
- Secure Tenancies (Victims of Domestic Abuse) Act 2018
- Statute Law (Repeals) Measure 2018
- Pensions (Pre-consolidation) Measure 2018
- Ecclesiastical Jurisdiction and Care of Churches Measure 2018
- Mission and Pastoral etc. Amendment Measure 2018

James Cleverly (Braintree) (Con): More!

Mr Speaker: The hon. Gentleman wants more. I have news for the hon. Gentleman—he is going to get more. Maybe not much more, but a bit more:

- Legislative Reform Measure 2018

Private Members’ Bills: Money Resolutions

10.39 am

Afzal Khan (Manchester, Gorton) (Lab) (Urgent Question): To ask the Leader of the House if she will make a statement on the Government’s policy on introducing money resolutions for private Members’ Bills.

Mr Speaker: Before I call the Leader of the House to respond to the urgent question, and in conformity with the recent trend of acknowledging and celebrating birthdays, I am disclosing to the House, because I have been informed, that the Leader of the House’s birthday is on Sunday, so we wish her a happy birthday.

The Leader of the House of Commons (Andrea Leadsom): Thank you very much, Mr Speaker.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): A 21st birthday.

Andrea Leadsom: I could not possibly comment, but I am obviously extremely grateful.

I welcome the opportunity to respond to the question asked by the hon. Member for Manchester, Gorton (Afzal Khan) ahead of business questions today. I have been clear about the Government’s general approach to money resolutions in business questions in recent weeks. On 22 March 2018, I responded to a question from the hon. Member for Croydon North (Mr Reed), saying:

“Discussions are carrying on through the usual channels and money resolutions will be brought forward on a case-by-case basis as soon as possible.”—[Official Report, 22 March 2018; Vol. 638, c. 407.]

I am pleased that the Government have been able to bring forward money resolutions for three Bills so far and that a number of important Bills are making progress. We will continue to look at providing money resolutions for those Bills that require them in the usual way and on a case-by-case basis.

With regard to the Bill of the hon. Member for Manchester, Gorton, as the Minister for the Constitution, my hon. Friend the Member for Norwich North (Chloe Smith), set out at Committee stage yesterday, the Boundary Commission for England began the 2018 parliamentary boundary review in 2016 and is due to report its final recommendations to Government later this year. The Government have a manifesto commitment to continue with this boundary review; and as it has not yet reported, it would not be appropriate to proceed with the Parliamentary Constituencies (Amendment) Bill at this time. The Government will keep this private Member’s Bill under review, but it is right that we allow the Boundary Commission to report its recommendations before carefully considering how to proceed.

The financial initiative of the Crown is a long-standing constitutional principle, which means it is for the Government of the day to initiate financial resolutions. As I have said and will continue to say, the Government will bring forward further updates on money resolutions, including for the hon. Gentleman’s Bill, in future business statements in the usual way.

Afzal Khan: I thank the Minister for her response.
[Afzal Khan]

I believe the actions of the Government are deeply undemocratic. The private Member’s Bill on parliamentary constituencies in my name is of fundamental constitutional importance. It passed Second Reading unanimously. The Government are trying to frustrate the democratic will of Parliament and to block the Bill by procedure.

I do not deny that my Bill is controversial, but it is also reasonable. Whatever arguments can be made for or against it should take place here, between Members and in front of the public, rather than in the backrooms of Government offices. Private Members’ Bills are one of the few ways Back-Bench MPs have to make an impact in this place. It is ironic that the Executive are overreaching on a Bill that seeks to defend the power of Back Benchers.

The precedent that the Government are setting will not only block my Bill, but will allow the Government to halt any future private Members’ Bill, such as the Refugees (Family Reunion) (No. 2) Bill, which passed Second Reading with enormous support from across the House. The Bill Committee meets again next week. Will the Minister reconsider her inconsistent and undemocratic approach to money resolutions and bring one forward today in time for the Committee to fully consider the Bill next week?

This House is owed an explanation of why the Government have taken such an inconsistent and partisan approach to granting money resolutions to private Members’ Bills. This is a serious undermining of the rights and privileges of this House by the Executive. It is time the Leader of the House stood up to her Cabinet colleagues on this matter.

Andrea Leadsom: As I have said, a number of private Members’ Bills are currently making their way through Parliament. We continue to look at providing money resolutions for those Bills that require them in the usual way, which is on a case-by-case basis. The financial initiative of the Crown is a basic constitutional principle, which means that it is for the Government of the day to initiate financial resolutions. This is a long-standing constitutional principle that is set out in “Erskine May”. The Government will keep the hon. Gentleman’s private Member’s Bill under review, but it is right that we allow the Boundary Commission to report its recommendations before carefully considering how to proceed.

Sir Christopher Chope (Christchurch) (Con): I have to say I agree absolutely with the points made by the hon. Member for Manchester, Gorton (Afzal Khan). I think the Government’s behaviour is undemocratic and certainly is in breach of the undertakings they gave to the Procedure Committee, which were that, if a Bill got a Second Reading, as night follows day, it would then get a money resolution and the Government would not abuse their power as they are seeking to do now.

Andrea Leadsom: I point out to my hon. Friend that a number of private Members’ Bill are going through and a significant number have had a Second Reading. Those are awaiting Committee. They include the Parliamentary Constituencies (Amendment) Bill, the Health and Social Care (National Data Guardian) Bill, the Homes (Fitness for Human Habitation and Liability for Housing Standards) Bill, the Stalking Protection Bill, the Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill, the Parking (Code of Practice) Bill, the Organ Donation (Deemed Consent) Bill, the Overseas Electors Bill, the Refugees (Family Reunion) (No. 2) Bill and others. It is very important that the Government use their good offices to bring forward money resolutions on a case-by-case basis in line with the long-held constitutional principle that it is for the Government to bring forward money resolutions.

Valerie Vaz (Walsall South) (Lab): My hon. Friend the Member for Manchester, Gorton (Afzal Khan) was right to ask for this urgent question, and you were right to grant it, Mr Speaker.

The Leader of the House knows that Members from all parties raised this matter with her last week, and yet again this week the money resolution was refused. She quotes “Erskine May”. It is clear that money resolutions should automatically follow Second Reading. Any tome on the workings of Parliament, whether “Erskine May” or “How Parliament Works”, states that they normally follow Second Reading. Not to introduce a money resolution is an unreasonable conclusion that no reasonable decision-making body would come to.

As my hon. Friend said, the will of the House was clear: the Bill got its Second Reading unanimously. The instructions given to the Boundary Commission were constrained and his Bill would do a number of things to those constrained instructions. It would expand the electorate by providing for the use of new electoral registers based on the latest figures following the referendum and the 2017 election. That is reasonable. The old instructions tied the hands of the Boundary Commission by maintaining the arbitrary figure of 600 to 650 Members, on no evidence. That is unreasonable.

This is an unprecedented position. No money resolution has been agreed for my hon. Friend’s Bill, yet other Bills behind it have had theirs. All the Bill would do is correct the erroneous instructions to the Boundary Commission. Will the Leader of the House confirm whether the Government are trying to reduce the effectiveness of the legislature as against the overpowering Executive? Will there be a reduction in the payroll vote of MPs? In what circumstances would it be unusual for a money resolution not to follow a Second Reading? If there are no abnormal circumstances in this case, when will one be granted on this important Bill, which goes to the heart of our democracy and the representation of our constituents?

Andrea Leadsom: I understand that the hon. Lady would like the money resolution to be brought forward. She often stands at the Dispatch Box and calls for debates. I should point out that the Government have listened and aimed to bring forward debates on subjects where the Opposition have prayed against statutory instruments. We have also brought forward important debates on subjects such as anti-Semitism and the importance of housing for the next generation. The Government have listened carefully and brought forward proposals from right hon. and hon. Members across the House.

The same is true of private Members’ Bills. We have brought forward money resolutions for three Bills so far. Some very important Bills are making progress, and
we will continue to look at providing money resolutions for all those Bills that require them in the usual way and on a case-by-case basis. It is simply not true that this is unprecedented. It is for the Government to decide when to bring forward money resolutions. As my hon. Friend the Constitution Minister has made clear, it is right that we allow the Boundary Commission to report its recommendations before carefully considering how to proceed with this Bill.

**Robert Courts** (Witney) (Con): Is the Leader of the House as delighted as I am about the progress of important private Members’ Bills such as those dealing with assaults on emergency workers? Does not this show how committed the Government are to bringing forward and supporting such Bills where they have the support of the whole House?

**Andrea Leadsom**: My hon. Friend is exactly right. Strong progress is being made on a number of Bills, including Bills being brought forward by Opposition Members, such as the Assaults on Emergency Workers (Offences) Bill introduced by the hon. Member for Rhondda (Chris Bryant), which has completed all its Commons stages and is now in the other place.

**Pete Wishart** (Perth and North Perthshire) (SNP): The refusal to give this money resolution demonstrates the massive disrespect that this Government have for the democratic arrangements of this House. Withholding money resolutions like this is just about the lowest of the low; it is a tactic to thwart the democratic progress of Bills that have been passed in this House. And this is not just about the Parliamentary Constituencies (Amendment) Bill; other excellent Bills have been thwarted too, including the excellent Bill from my hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) on refugees. When the House has decided on these matters, it is the duty, responsibility and obligation of the Government to honour the wishes of the House.

The Leader of the House has repeated that it is a matter for the Government to give money resolutions to private Members’ Bills. Let us take this out of the hands of the Government. Surely it should be an automatic function that a Bill gets a money resolution if it is passed by this House. If she is convinced of her arguments, particularly about boundaries, she should bring them to the House. Let us have a debate on the Floor of the House. Let the Government tell us why they think it is good to cut the number of Members of Parliament when Brexit is coming and the demand on Members will be higher. Let them tell us why they think it is right to have more cronies and donors in the House of Lords while cutting the number of Members of this House. Let us hear the Government’s case. Is not this just about the worst possible example of this House taking back control?

**Andrea Leadsom**: Unfortunately, the hon. Gentleman disregards the conventions of this House, as he often does. The financial initiative—Interrupt. The financial initiative of the Crown is a basic constitutional principle, which means that it is for the Government of the day to initiate financial resolutions. That is a long-standing constitutional principle set out in “Erskine May”, and he must respect that. I can say to him that 13 private Members’ Bills have passed Second Reading and, of those 13 Bills, one has completed all stages in this House and passed to the Lords and three further Bills have received money resolutions and completed their Committee stages. Those include important Bills such as the Parental Bereavement (Leave and Pay) Bill, the Mental Health Units (Use Of Force) Bill and the Prisons (Interference With Wireless Telegraphy) Bill. There is plenty of time left in this extended Session, and further money resolutions will be brought forward in the usual way.

**Kevin Hollinrake** (Thirsk and Malton) (Con): Will my right hon. Friend update the House on the progress of my private Member’s Bill on parental bereavement, which I hope will complete its remaining stages in this House tomorrow?

**Andrea Leadsom**: My hon. Friend has the Commons remaining stages of his Bill tomorrow. I know that the Bill has enormous support across the House. It will really make a difference to parents who have been bereaved. It carries a great deal of support and the Government were delighted to bring forward the money resolution for the Bill and will be delighted to see the remaining stages being debated tomorrow.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): I have to challenge the Leader of the House on her exposition of the constitutional principles at stake here. She seems to forget that this House has a role in the execution of the Executive’s duties in this regard. That is why, every time we have a Budget, a Finance Bill follows it, as sure as night follows day. The purpose of the Government having the power to bring forward a money resolution is to give effect to the will of Parliament, not to thwart it.

**Andrea Leadsom**: Hon. Members are trying to suggest that the Government are unreasonably withholding money resolutions on a permanent basis, but I have been absolutely clear that they will be brought forward by the Government on a case-by-case basis as necessary. I have tried to explain that the reason that one has not been brought forward for this particular Bill is that the Government have a manifesto commitment to consider the review by the Boundary Commission for England, and we will then consider the right timing for this money resolution.

**Tim Loughton** (East Worthing and Shoreham) (Con): The Leader of the House has detailed the unusually long list of ballot Bills that are queuing to get into Committee, including the excellent Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill in my name. As well as giving clarity on money resolutions, when will she announce the additional sitting Fridays? Is it fit for purpose in 2018 that only one private Member’s Bill can be in Committee at a time and that such Committees can sit only on Wednesdays, meaning that many private Members’ Bills will inevitably fail? Is it not time we sorted out the whole system so that private Members’ Bills get the attention they deserve?

**Andrea Leadsom**: I congratulate my hon. Friend on his private Member’s Bill. The House has approved 13 sitting Fridays for this Session and, as I have said:
[Andrea Leadsom]

“Given...this will be an extended Session, we will...expect to provide additional days”.—[Official Report, 17 July 2017; Vol. 627, c. 636.] In line with Standing Orders, remaining stages of Bills will be prioritised over Second Reading debates on any additional days provided for private Members’ Bills. There are still a number of remaining stages Fridays available for Bills coming out of Committee. The dates available to Members stretch through to 23 November 2018, so at this stage there is no urgency in providing additional days for private Members’ Bills. In fact, tabling a motion later in the current Session will allow us to take into account the progress of private Members’ Bills, as well as of any new recess dates that are announced.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP) rose—

Mr Speaker: The hon. Member for Na h-Eileanan an Iar is gesticulating in a mildly eccentric fashion. My interpretation of his strange hand signals is that he is indicating a desire to catch an aeroplane. We acknowledge that fact and wish him well on his journey. We would not want to deny him the opportunity to expatiate.

Angus Brendan MacNeil: Not just one aeroplane but a second aeroplane on to Benbecula, too. Hence the nerves.

Many people watching will think of this as quite archaic. Money resolutions should really follow automatically. It is also archaic that private Members’ Bills have to queue to go into Committee. It is time to modernise the process. We should not be having this urgent question. Night should follow day, as the right hon. Member for Orkney and Shetland (Mr Carmichael) said, and money resolutions should come forward, especially for the Refugees (Family Reunion) (No. 2) Bill to give child refugees the same rights as adult refugees.

Andrea Leadsom: I am grateful to the hon. Gentleman for raising those points. I can only say again that the Government will table money resolutions on a case-by-case basis, in line with current conventions.

Bob Blackman (Harrow East) (Con): My right hon. Friend suggests that the Government will wait until the boundary commissions have reported, which I understand will be in September or October. Does she intend to wait until after that before granting any further money resolutions so that Bills can make progress in this House?

Andrea Leadsom: No, that is not the case. As my hon. Friend might be aware, a money resolution was tabled for the private Member’s Bill of my hon. Friend the Member for Lewes (Maria Caulfield) just last week.

Jo Stevens (Cardiff Central) (Lab): The Leader of the House did not answer the question asked by my hon. Friend the Member for Walsall South (Valerie Vaz) on whether the Government can confirm that they have no plans to cut the number of MPs on their payroll. Can the Leader of the House confirm that the result will be a more powerful Executive and a smaller legislature?

Andrea Leadsom: I reiterate that the Boundary Commission for England began the 2018 parliamentary boundary review in 2016 and is due to report its final recommendations to Government later this year. The Government have a manifesto commitment to continue the boundary review, which is what we are doing. We will await the Boundary Commission’s recommendations, and we will then consider tabling a money resolution on the Parliamentary Constituencies (Amendment) Bill at that point.

Mr Peter Bone (Wellingborough) (Con): I congratulate the hon. Member for Manchester, Gorton (Afzal Khan) on securing the urgent question. He has raised this issue in such a gentle way, but if I had been in his place, I would have been exploding at the Government at the moment. They have said, in answer to the Procedure Committee:

“It is the practice of the Government to accede to such requests.”

No ifs and buts there. What we are seeing here is not a debate about democracy; I say, with some trepidation, that this is an abuse of Parliament by this Government. They do not like the Bill, so they are using a procedural tactic which breaks all convention. The Leader of the House has been sent to the wicket not only without a bat, but without pads or a helmet. I cannot say that she does not believe what she is saying, but I believe that if she was free from collective responsibility she would be on our side. I urge her at business questions to follow to grant the money resolution.

Andrea Leadsom: I gently remind my hon. Friend that he, too, stood on a manifesto that was committed to hearing the Boundary Commission review—

Mr Bone: No, I opposed it—

Mr Speaker: Order. The hon. Gentleman’s comment that he opposed it is clearly on the record, and so it should be, but the Leader of the House is answering and she should be free to continue to do so.

Andrea Leadsom: My hon. Friend stood on a manifesto that led to this Government forming, and it is clear—that once the recommendations have been considered, we will be looking to bring forward that money resolution.

Chris Elmore (Ogmore) (Lab): As I understand it, the Leader of the House is meant to be the House’s representative in Cabinet. I hate to burst her bubble, but the Conservative party did not win the general election and there was nothing in its manifesto about passing a bung to the Democratic Unionist party to prop it up on the boundary review. May I ask the Leader of the House, most sincerely, what representations she is making to Cabinet and to the Government to make sure that the will of this House is granted and the money resolution tabled?

Andrea Leadsom: I gently say to the hon. Gentleman that it is extraordinary that he thinks that this Government did not win the general election, because this is the Government and this Government are winning votes. This Government are taking charge of running the country, in full collaboration right across the House...
with all right hon. and hon. Members, to ensure that we take all views into account. That is what I undertook to do as Leader of the House of Commons and it is what I do every day.

Sir Desmond Swayne (New Forest West) (Con): As a former Lord Commissioner and officer of Her Majesty’s Household, I know exactly how inconvenient and unhelpful the happy thoughts of private Members’ Bills can be, and this one is no exception. The answer has to be to turn up on a Friday and vote against them, not to deny them a money resolution.

Andrea Leadsom: I am grateful to my right hon. Friend for his comments. Absolutely agree that private Members’ Bills are a matter for Fridays and parliamentary voting, but it is also a constitutional principle that the Government bring forward money resolutions and do so on a case-by-case basis. I will continue to make those announcements at business questions in the usual way.

Mr Steve Reed (Croydon North) (Lab/Co-op): I am grateful to the right hon. Lady for the fact that we eventually got a money resolution for the Mental Health Units (Use of Force) Bill, but that was only after a seven-week delay, during which time the Government repeatedly promised that the money resolution would be laid. The Committee to consider the Bill was convened but had to be cancelled or adjourned at short notice because the money resolution had not been laid. On one occasion, the Government claimed pressure of business, even though on the relevant date the House had adjourned early because of a lack of business. This is disrespectful, not only to the House, but to interested parties outside it, who are keenly following the progress of these Bills. One would normally associate pantomimes with Christmas, but the Government treated us to one this Easter. Surely this is no way to run the business of the House.

Andrea Leadsom: It is a bit of a shame the hon. Gentleman does not celebrate, as all Members should, the fact that the Committee stage is now complete for his Mental Health Units (Use of Force) Bill, which is an important piece of legislation. The money resolution was brought forward; his private Member’s Bill is making progress; and, with the support of the House, he can hope to see it come into law.

Mr Philip Hollobone (Kettering) (Con): I know it is inconvenient for Her Majesty’s Government, but the right of individual Members to initiate legislation is a precious one, and it is denied to MPs in many other Parliaments around the world. If I may say so, the Leader of the House may be confusing the tabling of a money resolution with its decision in the House. As the representative of the House in Cabinet, surely it should be the Leader of the House’s role to table a money resolution straight after Second Reading has been agreed. It is then up to the House to divide to decide whether that money resolution should be passed. By not even tabling the resolution, she is denying a democratic right to Members of this House.

Andrea Leadsom: I say gently to my hon. Friend that the financial initiative of the Crown is a basic constitutional principle; it is for the Government of the day to initiate financial resolutions. It is a long-standing constitutional principle and it is set out in “Erskine May”.

Bambos Charalambous (Enfield, Southgate) (Lab): Does the Leader of the House believe that the delays in the granting of money resolutions for private Members’ Bills that have had their Second Reading are a result of the Government’s inefficiency or their incompetence? How long does she believe it is reasonable to wait for a money resolution?

Andrea Leadsom: I am delighted that money resolutions have been brought forward for some excellent private Member’s Bills, and more will be brought forward in due course.

Philip Davies (Shipley) (Con): The Leader of the House is trying to defend the indefensible, and I regret that she has been sent in to do that. I urge her, rather than getting bogged down in some constitutional niceties that do not appear to be winning the day, just to agree to grant the money resolution for the hon. Member for Manchester, Gorton (Afzal Khan). That is the clear will of the House, so she should just be done with the matter.

Andrea Leadsom rose—

Philip Davies: While we are on the point, and before she leaps to her feet, I urge her to resist the call for extra sitting Fridays in this Session. You will know better than me, Mr Speaker, but I think the Standing Orders say that there shall be 13 sitting days on a Friday in a Session—not a minimum of 13, but that there shall be 13. Can we please stick to that particular Standing Order?

Andrea Leadsom: My hon. Friend clearly does not agree with all Members. He asserts what all Members think, but then clearly disagrees with what I have heard many Members say, which is that they want further days to discuss private Members’ Bills. That is why it is important that private Members’ Bills have support from the whole House. I absolutely assure my hon. Friend that money resolutions for Bills will be brought forward in the usual way, on a case-by-case basis.

Patrick Grady (Glasgow North) (SNP): Does this not show up the whole private Members’ Bills system for the farce that it is? It was described as a cruel system in the most recent Procedure Committee report on the matter, which made some fundamental, positive and progressive suggestions for reform, not least that the Backbench Business Committee should allocate some of the time for Bills that genuinely have support throughout the whole House, like we see in progressive Parliaments such as the Scottish Parliament in Holyrood. Will the Leader of the House make time for those proposals to be debated in the House of Commons?

Andrea Leadsom: There was a review of private Members’ Bills not very long ago, and the strong view from all parts of the House at the time was that private Members’ Bills do work. Obviously, individual Members have different views, as we have just heard from my hon. Friend the Member for Shipley (Philip Davies). Different Members have different views about private Members’ Bills, but the Government seek to ensure that when there is strong enough support for private Members’ business, it has the chance to come into law.
Nick Thomas-Symonds (Torfaen) (Lab): Having been drawn in the private Member’s Bill ballot myself, I know the frustration that constituents express when Bills run out of time on Fridays. Surely this additional step, whereby the Government can by procedural means block the unanimous will of this House, can only damage the reputation of politics.

Andrea Leadsom: That is simply not the case. The Government are not blocking. I have set out a clear reason why a money resolution for the Bill has not yet been brought forward. Other money resolutions have been brought forward, and more will be in due course.

Paula Sherriff (Dewsbury) (Lab): The Leader of the House has continually referred to the fact that the boundary review appeared in the Conservative manifesto last year; should we therefore expect to have Bills on foxhunting and grammar schools introduced in the House on a future date?

Andrea Leadsom: The hon. Lady is asking about an entirely separate issue. I am trying to explain, with absolute courtesy to the House, the reason why a money resolution has not been brought forward in this case, and she is raising an entirely different issue.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): The Leader of the House keeps referring to the Boundary Commission’s proposals. Can she tell me when the last census was taken? Can she also tell me how many would be excluded if she continues with the boundary proposals and how that will not be seen as gerrymandering?

Mr Speaker: Forgive me, it may be a question of very considerable interest, but it is not altogether adjacent to the matter of money resolutions. However, if the Leader of the House wants to give us the benefit of her views on the matter, I am sure that we will all listen with rapt attention.

Andrea Leadsom indicated dissent.

Nick Smith (Blaenau Gwent) (Lab): May I gently remind the Leader of the House that she is supposed to represent this House in Cabinet? Why is she allowing a procedural finagle to block the democratic decision of this House?

Andrea Leadsom: I take my role of representing Parliament in the Government incredibly seriously. At every Business questions and at every opportunity, I seek to take into account all the views expressed across this House. I can give the hon. Gentleman countless examples of successes there, but what I am simply setting out today is that the money resolution for this particular private Member’s Bill will be brought forward at a later stage, once the review of the Boundary Commission for England has been considered.

Thangam Debbonaire (Bristol West) (Lab): I understand what the Leader of the House has just said, but does she not accept that, to the people whom we represent, this will look like she is actually the Cabinet’s representative to the legislature? We need and have many other private Members’ Bills so that the people whom we represent can truly feel that we are able to represent them on the issues that matter to them.

Andrea Leadsom: I think people will be delighted at the progress being made in some very important private Members’ Bills, including Bills to prevent assaults on emergency workers, to provide better support for parents who have been bereaved and to provide better support for those who have mental health problems and are taken into secure units.

Judith Cummins (Bradford South) (Lab): Does the Leader of the House not understand just how offensive it is to Members of this House that the Government are using a procedural device to block debate on this important Bill?

Andrea Leadsom: I say to the hon. Lady, as I have to plenty of hon. Members now, there is no blocking. The Government bring forward money resolutions on a case-by-case basis. I have sought very courteously to explain why, on this occasion, money resolutions on other private Members’ Bills are coming forward and this one is not at the moment.

Justin Madders (Ellesmere Port and Neston) (Lab): I urge the Leader of the House not to trot out the manifesto commitment line, given how many pledges have been dropped already. I remind her that her party does not command a majority in this House, so why does she think that it is okay to override the democratic will of this Chamber?

Andrea Leadsom: I gently say to the hon. Gentleman that his party does not command a majority in this House, and that, therefore, what we seek to do in this Parliament is to listen broadly across the House to all the proposals made by right hon. and hon. Members and to accommodate them wherever we can.

Martin Vickers (Cleethorpes) (Con): It has become quite clear over the past 35 minutes that the Minister has been sent out to defend the indefensible, as my hon. Friend the Member for Shipley (Philip Davies) quite rightly said. I urge her to take note of the exchanges that we have had over the past half hour and give a commitment to come back next week, having reflected on those views, with perhaps a slightly different view.

Andrea Leadsom: I am always well educated by the exchanges in this place, and I always continue to listen carefully and to reflect on what is said.

Alex Norris (Nottingham North) (Lab/Co-op): On Wednesday morning, we saw an absurd spectacle. We had a Committee full of hon. Members ready to take on this Bill at its next stage, following overwhelming support on Second Reading, but we were prevented from doing so. We were prevented by a Government who were not brave enough to make the case against it and not secure enough to divide on the matter, so, instead, they hid behind procedure. Does the Leader of the House really think that it is satisfactory for the Government to frustrate the will of the House in this way?

Andrea Leadsom: The Minister for the Constitution, my hon. Friend the Member for Norwich North (Chloe Smith), clearly set out in Committee yesterday that “the Boundary Commission for England began the 2018 parliamentary boundary review in 2016. It is due to report its final recommendations later this year… it would not, therefore, be appropriate to proceed with the Parliamentary Constituencies...
Jeff Smith (Manchester, Withington) (Lab): This points to a much wider problem with the farcical and outdated system of dealing with private Members’ Bills in this House, including the farcical scenes that we often see on sitting Fridays. More importantly, does the Leader of the House really think that it is appropriate in this day and age that a private Member should have to rely on the patronage and support of the Government to get a private Member’s Bill through Parliament?

Andrea Leadsom: The hon. Gentleman knows that that is not the case. Private Members’ Bills require support from across the House in order to get through. The Government provide money resolutions on a case-by-case basis.

Diana Johnson (Kingston upon Hull North) (Lab): I like the Leader of the House a great deal but I think that in this case she is wrong. A little bit of humility about the fact that the Conservatives did not win the general election and did not command a majority for their manifesto would go a long way in this House. There is a clear will in Parliament on what should happen. I hope that the words of the hon. Member for Cleethorpes (Martin Vickers) will be ringing in the ears of the Leader of the House and that she will come back to the House with a proper money resolution that we can debate.

Andrea Leadsom: I am always grateful to the hon. Lady for her interventions and for the measured way in which she puts her points. As I said to my hon. Friend the Member for Manchester, Gorton (Afzal Khan), because we have had that debate, but is it too much to hope that the amendments coming back from the Lords next week will have anything to do with the European Union (Withdrawal) Bill? The Bill has been given such thoughtful consideration by the other place, so will the Leader of the House confirm that the House will be able to debate the amendments soon? If not, will she confirm whether the reports in the press that the EU withdrawal Bill will not come before the House again until after negotiations are complete in the autumn are accurate?

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): There is something of the groundhog day about this. The business for the week commencing 14 May will include:

**Monday 14 May**—Second Reading of the Haulage Permits and Trailer Registration Bill [Lords].

**Tuesday 15 May**—If necessary, consideration of Lords amendments, followed by the remaining stages of the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill, followed by a general debate on housing and homes.

**Wednesday 16 May**—Opposition day (11th allotted day). There will be a debate on an Opposition motion. Subject to be announced.

**Thursday 17 May**—Debate on a motion on plastic bottles and coffee cups, followed by a general debate on International Day Against Homophobia, Transphobia and Biphobia. The subjects for these debates were determined by the Backbench Business Committee.

**Friday 18 May**—The House will not be sitting.

The provisional business for the week commencing 21 May will include:

**Monday 21 May**—Consideration of Lords amendments, followed by Second Reading of the Tenant Fees Bill.

You were kind enough, Mr Speaker, to host the Grenfell survivors in Speaker’s House this week. I pay tribute to their courage in sharing their personal stories with us. None of us can imagine the pain and suffering experienced by all those caught up in that tragic event last year, and I reiterate the commitment of the Government and Parliament to doing everything we can to ensure that such a terrible tragedy never happens again.

Yesterday was important for two reasons. First, it was Teacher Appreciation Day, so I would like to say a big thank you to all the hard-working teachers and school staff who make such a difference to the lives of young people every single day. Secondly, it was also Europe Day. As a proud European myself, I join the millions across our continent celebrating our strong ties of friendship and shared history.

Valerie Vaz: I thank the Leader of the House for announcing the forthcoming business. I am not going to ask her for a money resolution for the Bill of my hon. Friend the Member for Manchester, Gorton (Afzal Khan), because we have had that debate, but is it too much to hope that the amendments coming back from the Lords next week will have anything to do with the European Union (Withdrawal) Bill? The Bill has been given such thoughtful consideration by the other place, so will the Leader of the House confirm that the House will be able to debate the amendments soon? If not, will she confirm whether the reports in the press that the EU withdrawal Bill will not come before the House again until after negotiations are complete in the autumn are accurate?

When will the so-called customs Bill—the Taxation (Cross-border Trade) Bill—and the Trade Bill have their Report stage and Third Reading, and, more importantly,
when will the withdrawal agreement and implementation Bill be introduced? Can the Leader of the House confirm that the Government are not being cynical and parking the Trade Bill, the customs Bill and the EU withdrawal Bill, and introducing the legislation to enact EU law under the withdrawal and implementation Bill after the negotiations are complete so as to avoid any rebellions? She will know that all this legislation can return at any time before the end of the Session, which is now May 2019. This is unprecedented, and the Government are effectively subverting democracy. They said that they wanted to extend the Session of Parliament owing to a heavy burden of legislation, yet they are not tabling any important legislation.

The subversion of democracy continued, and showed its true colours, in the local elections. The pilot areas trialling controversial voter ID checks have been a shambles. Early estimates show that nearly 4,000 people were turned away from voting in the local elections. In one case that I know of, someone was actually told that his polling station had moved and he could not vote. Analysis by the Electoral Reform Society said that "millions of people could be disenfranchised if the scheme is rolled out across the country. My hon. Friend the Member for Lancaster and Fleetwood (Cat Smith), the shadow Minister for voter engagement, warned of this before the pilot was rolled out. She would like to see the report come back before she goes on maternity leave.

You were in the Chamber, Mr Speaker, when the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) raised a point of order, again on the subversion of democracy, about a dysfunctional Government and their malfunctioning email address for a consultation that closes on 25 May. Will the Leader of the House look into this to see whether the email address now works and to ensure that the people of Buckinghamshire have a say? It is nothing personal, Mr Speaker, but the Government do not seem to want to hear from you or your constituents.

As there is hardly any Government business, or rather the Government do not wish to table any legislation relating to the EU, will the Leader of the House find time to debate the statutory instrument prayed against by my right hon. Friend the Member for Enfield North (Joan Ryan)? It relates to the treatment of victims of torture and other vulnerable people in immigration detention centres and is the subject of early-day motion 1200, which was signed by 110 Members.

"I took my dog to the dole office to see what he was entitled to. The bloke behind the counter said ‘you idiot, we don’t give benefits to dogs’. I argued ‘why not? He’s brown, he stinks, he’s never worked’.

an F

‘day in his life & he can’t speak’

an F

‘word of English’. The man replied: ‘His first payment will be Monday.’”

That councillor has been allowed back on to the council so that the Tory party can retain its power in Pendle. What is the position on Pendle council? Is the councillor a full member of the council and the Tory group? Where are the Government voices of condemnation, and when can we have that debate on racism?

On restoration and renewal, last week the Leader of the House said that the Commission decided on governance arrangements. She actually misses the point. It is not about us on the Commission; it is about Members knowing what is going on. Members are not aware of these agreed arrangements. The Leader of the House said during the debate on 31 January:

“This is a matter for Parliament”. —[Official Report, 31 January 2018; Vol. 635, c. 888.]

All the Commission published online was a simple sentence saying that it has “agreed the proposed governance arrangements for the R&R Programme”, but the details are not given. A written statement published on 28 February does not give the full details of what was announced in the article in The House magazine. When will she make a statement to the House on the proposals for restoration and renewal?

I join you, Mr Speaker, in wishing the Leader of the House a very happy birthday. She mentioned that it was Europe Day yesterday, but there was no mention of that by the Prime Minister. We know that Europe stands for peace, co-operation, opportunity and respect for the human rights of everyone. In or out, that is how we in the Opposition mark Europe Day. I wish everyone a belated happy Europe Day, and the Leader of the House a very happy birthday on Sunday.

Andrea Leadsom: First, the hon. Lady asks about progress of Brexit legislation. Third Reading of the European Union (Withdrawal) Bill will take place in the other House next week, and then we will bring that Bill back to this place, to look at the amendments. The Government are obviously looking closely at the proposals made in the other House, as we have done with all those made in this House. Other Brexit Bills will be coming forward in due course. There is no hold-up. As all hon. Members will appreciate, very complex negotiations are under way, and it is right that we bring forward these Bills at the appropriate time, as indeed we will do.

The hon. Lady asks about voter ID. Voter ID was successfully tested at the local elections on 3 May in five local authorities, each of which had signed up to it. The data so far and statements by the respective returning officers point towards the pilots successfully testing voter ID and the experience being overwhelmingly positive. It is important to note that it cannot be the case that we have to provide ID to pick up a parcel but not to cast our democratic vote. It is vital that we protect our democracy from potential fraud, and we will obviously look at all lessons learned from that.

[Valerie Vaz]

[That an humble Address be presented to Her Majesty, praying that the Immigration (Guidance on Detention of Vulnerable Persons) Regulations 2018 (S.I., 2018, No. 410), dated 22 March 2018, a copy of which was laid before this House on 27 March, be annulled.]

In addition, EDM 1202 was signed by 107 Members.

[That an humble Address be presented to Her Majesty, praying that the Detention Centre (Amendment) Rules 2018 (S.I., 2018, No. 411), dated 22 March 2018, a copy of which was laid before this House on 27 March, be annulled.]

May we have a debate on racism in the Tory party? I have to read this out, Mr Speaker, because it is so obnoxious. A councillor posted this:
The hon. Lady asked about the Home Secretary’s email address. I am not sure that that is within my brief, but if email addresses now come under the remit of the Leader of the House, I am happy to take that up if she writes to me about it.

The hon. Lady asked about statutory instruments that the Opposition have prayed against. It is parliamentary convention that, where a reasonable request for a debate is made, time will be allowed for a debate, and in line with that, the Government have sought to accommodate reasonable requests from the Opposition. There have been a couple of debates on statutory instruments only this week, and more Government time has been given for debates on statutory instruments prayed against by the Opposition than at any time since 1997. I hope she will acknowledge that the Government are doing everything they can to accommodate Opposition views.

The hon. Lady asked about the issue of racism in Pendle. I am horrified to hear that story, and I certainly share her absolute rejection of any form of racism. As I understand it, direct action was taken—suspension, training, apologies and so on—but I am not completely aware of the situation. I am sure she will acknowledge that if people who do something in very bad taste have received their punishment, they should be capable of being reinstated. I am not sure of the case, but like her, I utterly reject any form of racism.

Finally, the hon. Lady asked about restoration and renewal. We have a House of Commons Commission meeting on Monday evening, where there will be further discussions. I am always happy to update the House, and perhaps we can discuss how we can facilitate that.

James Duddridge (Rochford and Southend East) (Con): Mr Speaker, given your manifesto commitment to go by 22 June, may we have a debate in Government time about what we want from a Speaker and what type of Speaker we want, before we move to a secondary discussion about who we want to replace you?

Andrea Leadsom: Mr Speaker, you have served this House for a good number of years, in the best way that you can, and I am grateful to you for that. I am not sure that a debate on the subject that my hon. Friend suggests would be at all welcome.

Mr Speaker: I very gently say to the hon. Member for Rochford and Southend East (James Duddridge), in terms which are very straightforward and which I know he will be fully able to understand, that after each general election, the proposition about the Speaker returning to the Chair is put, and it is then voted upon by the House. He will recall that I indicated my willingness to continue in the Chair in June of last year. That proposition was put to the House, and it was accepted unanimously. If he had wanted to oppose it, he could have done so, but simply as a matter of fact—I am not making any criticism, nor favourable comment—I remind the House that he did not.

Pete Wishart (Perth and North Perthshire) (SNP): Long may that proposition continue, Mr Speaker.

I thank the Leader of the House for announcing the business for next week. As she is always so generous in wishing us all a happy birthday, I wish her a boundary-free birthday, and a signed copy of the MP4 CD is on its way.

It has been a crazy old week for the Government. Apparently, the customs partnership favoured by the Prime Minister is not the preferred option of the Foreign Secretary, who has used characteristically conciliatory language to express his concern. He could have called the customs plan clueless, delusional or unworkable, but, no: for him, it is just plain crazy. I had a look at the dictionary definition of “crazy”, and apparently it means deranged, demented, non compos mentis, unhinged or as mad as a hatter. I think the Foreign Secretary might be on to something here. However, can we have a statement to clarify exactly what someone has to say now to be sacked as Foreign Secretary?

You know, Mr Speaker, that I am not the greatest fan of our undemocratic be-erminded friends down the corridor, and, okay, I have called them a few things in the past—donors, cronies, placemen, aristocrats—but even I have never stooped so low as to call them traitors, as happened on the front page of the Tories’ favourite rag, the obnoxious Daily Mail. May we have a statement on what type of language we could use to describe what goes on in our political life?

It looks like it is the beginning of the end for our lordships—not for being an unelected embarrassment, but for doing the right thing. So I say to the Lords, the Government are probably going to abolish you now, so stand up to them. When it gets to ping-pong, do your own thing. Go down fighting, and make that ermine count for something!

Andrea Leadsom: First, I must say that I would be so thrilled with a copy of MP4’s latest disc or cassette—what would it be? I am also slightly hearing from the hon. Gentleman that he is now after a seat in the other place—I am detecting a level of warmth towards it that I have never seen from him before.

Seriously, however, there is a concern. The other place provides a fantastic revising House to improve legislation, and it has made significant improvements to the EU withdrawal Bill, which the Government have willingly accepted, including on looking at the Bill as it relates to the devolved nations. It is very important that we have done that, and it is great to see the progress with the Welsh Government, who have been willing to accept the latest proposals, although it is a great shame the Scottish Government have not been willing to do so, and we hope they will be able to in due course. The purpose of the other place is not to undermine the will of this House or, very importantly, the will of the majority of people in this country who voted for the United Kingdom to leave the EU.

Sir David Amess (Southend West) (Con): Most people would think it is absolutely pathetic that a picture of the Prime Minister was removed from a wall at one of our leading universities that showed women of achievement. Will my right hon. Friend please find time for a wider debate on issues surrounding freedom of expression and freedom of speech in our universities, on whose rock a more tolerant society should be built?

Andrea Leadsom: My hon. Friend’s description of that as pathetic is just about right. I could not believe that a university would seek to remove a photograph of one of its most successful alumni—that is absolutely appalling. Universities have a statutory duty to ensure
Mr Speaker, groundhog day is actually on 2 February. It is a superstition that if the groundhog emerges from its burrow and sees a shadow, then winter continues for a further six weeks. The Trade Bill—the customs Bill—the Taxation (Cross-border Trade) Bill—emerged from their burrows in Committee on 1 February, well over six weeks ago, so even if we were working on the groundhog principle, we should have had them back on the Floor of the House by now. When are we going to see them?

Andrea Leadsom: I really enjoyed the film of that title, which was about the day repeating itself. [Interruption.] Yes, it probably was on video tape at the time.

In answer to the right hon. Gentleman’s very clear question, a very complex negotiation is under way, as he will know, and at the same time there is a necessity to legislate. We look very carefully at all amendments that are brought forward, and we try to make sure that we do not get ahead of the negotiation or indeed of policy proposals coming from the Government. The timing is therefore very much subject to the overall consideration of the best way in which we can leave the European Union with a good deal for both the United Kingdom and for our EU friends and neighbours.

Mr John Hayes (South Holland and The Deepings) (Con): We plant trees for those born later—they are totems of enduring certainty—so the whole House will have been alarmed to hear that Network Rail is to spend £800 million felling 1 million of them. Trees have adorned railway lines, providing a habitat for wildlife and adding to the aesthetic efficacy of journeys, since the time of Stephenson. Will the Leader of the House arrange for a statement by the Environment Secretary or perhaps by the Minister of State, Department for Transport, my hon. Friend the Member for Orpington (Joseph Johnson), who has helpfully delayed this, so that Network Rail can reconsider this violent decision, which is either careless or crass? Those born later deserve better.

Andrea Leadsom: I completely share my right hon. Friend’s love of trees. I understand that Ministers have called for a review of the decision to fell this number of trees. I also understand that Network Rail is responsible for some 13 million trees and that it is seeking to ensure maximum safety for rail passengers. Nevertheless, my right hon. Friend makes a very good point, and he will be aware that Ministers are already looking into this matter.

Diana Johnson (Kingston upon Hull North) (Lab): The Leader of the House will agree that a key part of the northern powerhouse involves equipping our young people with the skills and qualifications they need for the new industries that we have been attracting to Hull, particularly the renewables industry. Hull College is currently experiencing strike action over so-called “fresh start” plans to cut courses, reduce student tuition time and axe 231 jobs to address a £10 million deficit. May we have a debate on the distribution of further education funding and whether that is helping or hindering the objectives of the northern powerhouse?

Andrea Leadsom: I entirely support and share the hon. Lady’s enthusiasm for the superb actions taking place in Hull and other nearby areas regarding renewables, and particularly in getting young people the skills they need.
need to have a worthwhile career in that area. The Government have sought to make it easier for more young people to go into higher and further education by removing the cap on further education numbers. The specific point raised by the hon. Lady would lend itself to an Adjournment debate, so that she can raise those problems directly with Ministers.

Mrs Pauline Latham (Mid Derbyshire) (Con): May we have a statement on what progress has been made towards ensuring the release of Leah Sharibu, who is currently being held hostage in Nigeria?

Andrea Leadsom: This is a very harrowing case, and our thoughts are with Leah Sharibu and her family. The Government of Nigeria have assured the public that all efforts are being deployed to secure her return. The Foreign Secretary spoke to the Nigerian Vice-President on 26 February and offered additional UK assistance, following the abductions from Dapchi. We continue to call for the release of the remaining Chibok girls and all those abducted by Boko Haram. Attacks on schools and abductions of children are abhorrent and must stop.

Marion Fellows (Motherwell and Wishaw) (SNP): I have recently been made aware of an indefensible situation in my constituency. It concerns a young couple—he is aged 25, and she is 17. Because she is only 17, she does not qualify for universal credit, yet her partner cannot include her in his claim. However, since she has a part-time job, that reduces his claim. That is completely unacceptable. It is grossly unfair if a person is denied access to support because of their age, and it is also unfair to expect their income to reduce their partner’s claim. May we have a debate in Government time to discuss young people and their place within the welfare system? We must end this unfair treatment and ensure that common sense prevails in such cases.

Andrea Leadsom: The hon. Lady raises an important constituency case, and she will be aware that the Government have been trying to promote apprenticeships and higher education for young people, to enable them to get the skills to have a good career with a decent income and to provide for themselves and their families. She raises a specific point about universal credit and its application to young people, and she might like to raise her constituency case during questions to the Department for Work and Pensions on 21 May.

Stephen Kerr (Stirling) (Con): My constituents in Stirling are concerned about the state of Scotland’s economy, and this week it was revealed that the SNP Scottish Government have missed five major economic targets—targets they set for themselves—which has cost Scotland more than £80 billion. May we have a debate on the prosperity of the nations and regions of the United Kingdom?

Andrea Leadsom: My hon. Friend rightly raises the important issue of the comparative performance of Scotland under the Scottish nationalists versus the performance of England. Our Budget delivered a £2 billion boost to the Scottish Government’s budget, so that by 2020 the block grant will have grown to more than £31 billion before adjustments for tax devolution. That is a real-terms increase, and I encourage my hon. Friend to seek an Adjournment debate so that he can tackle his concerns head-on.

Kevin Brennan (Cardiff West) (Lab): May we debate discrimination against women in golf clubs? My constituent Lowri Roberts wanted to play golf on a Saturday, but she was banned from doing so because she was a woman. After she complained in the media, she was suspended from Cottrell Park golf course in the Vale of Glamorgan. Is that not an absolute disgrace in this day and age?

Andrea Leadsom: I completely agree with the hon. Gentleman. I encourage him to seek an Adjournment debate to see what more can be done to sort out this ridiculous incident.

Robert Courts (Witney) (Con): After this harsh winter, the menace of potholes is becoming much more than a minor nuisance in West Oxfordshire, and not just on the A40, which in any event requires major upgrades, but across the whole of my rural area. Oxfordshire County Council is fixing tens of thousands of potholes a year, but has the time not come for a full debate across the whole House to discuss the way forward?

Andrea Leadsom: My hon. Friend is a great champion for his constituency and I congratulate him on his work both on congestion and potholes in his area. I am sure he will be as delighted as I am that he and his colleagues, including my hon. Friend the Member for Banbury (Victoria Prentis), have managed to achieve nearly £500,000 in extra pothole action funding for 2018-19 in Oxfordshire. Nevertheless, he is right to raise this issue and I suggest he perhaps seeks a Backbench business debate, because potholes are a menace everywhere.

Chris Stephens (Glasgow South West) (SNP): Is it not time for the Government to have a binding vote to address the injustice of 1950s-born women, like my constituent Heather Cameron, a teacher who has had to retire early? Does the Leader of the House not agree that it is now time to put this injustice to bed?

Andrea Leadsom: The hon. Gentleman will be aware that there have been a number of debates on this subject and the Government have moved significantly to restrict any losses suffered by women who were born at that particular time. If he wants to raise a further debate on the subject, I encourage him to seek a Westminster Hall debate.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): As the Leader of the House is aware, Public Works Loan Board funds can be used by local councils to borrow money at a very cheap rate. Taunton Deane Borough Council is borrowing £16 million to build a brand new hotel with no operator. We must have an urgent debate on cheap borrowing and the way that Government funds are being used to prop up local government.

Andrea Leadsom: The Government have been very keen to help and support local areas to make decisions that are in the interests of their local communities and local residents. We will continue to do so.
Jim Shannon (Strangford) (DUP): As recently as the past weekend, there have been reports of armed Fulani herdsmen committing violent attacks in Nigeria. According to the African Centre for Strategic Studies, over 60,000 people have died in Fulani herder-related violence since 2001. Over the past three years, the Fulani herder militia is thought to have killed more people than Boko Haram. Will the Leader of the House agree to a statement or a debate on this very pressing issue as soon as possible?

Andrea Leadsom: The hon. Gentleman raises an incredibly concerning issue, and I encourage him to seek an Adjournment debate so he can raise it directly with Ministers.

Jeremy Lefroy (Stafford) (Con): A constituent of mine has raised the issue of price manipulation of gold and silver bullion. There have been several cases in the United States which have resulted in considerable fines on banks. May we have a debate on this very important issue, because gold and silver are not merely a store of value, but have extremely important uses in manufacturing and, in the case of silver, as a kind of antibiotic?

Andrea Leadsom: My hon. Friend raises a very important point. I absolutely sympathise with the fact that it is vital that we do not allow the manipulation of any particular markets. I encourage him to take this issue up directly, perhaps at Treasury questions on 22 May.

Anna McMorrin (Cardiff North) (Lab): In this year as we celebrate 100 years of women’s suffrage, will the Leader of the House join me in congratulating my constituent Masudah Ali on being voted 12th in the top future 100 women across UK universities? Will she agree to have a debate on talented young women and the role they can play in public life?

Andrea Leadsom: I completely join my hon. Friend in congratulating Masudah Ali, her constituent. That is fantastic. To be predicted to be one of the future 100 female leaders is an amazing thing to achieve—all congratulations to her. I think there will be many opportunities this year to debate the achievements and the prospects for women in this 100 years of female suffrage.

Rachel Maclean (Redditch) (Con): Will the Leader of the House join me in welcoming the Tour Series bike race to Redditch this evening? It is a testament to the hard work of Worcestershire County Council and Redditch Borough Council, which, as she will be aware, has converted to Conservative control this year after a historic victory. As we work to further unlock Redditch’s potential, does she agree that our record of hosting world-class sporting events means that we are well placed to benefit from the Commonwealth games, which are taking place in Birmingham, just up the road from us? May we have a debate in this place about how we spread the benefits of hosting the Commonwealth games across the whole west midlands area?

Andrea Leadsom: I congratulate my hon. Friend again on her triumph at the local elections—it was great news for her and for her constituents. I am sure that getting that particular cycling event into her area was in part due to her work, so I congratulate her on that. She is right to raise the question how the benefits from the arrival of the Commonwealth games can be spread across the whole area, and I encourage her to perhaps seek an Adjournment debate or to raise the matter with the Department for Digital, Culture, Media and Sport to make sure that everybody benefits from the fantastic hosting of those games.

Stephanie Peacock (Barnsley East) (Lab): I have met a number of constituents who have been subject to online abuse, including one woman who spoke about resorting to using a food bank on the BBC’s “Question Time” and was hounded online. May we have an urgent debate in Government time about how we tackle the vile practice of online abuse?

Andrea Leadsom: I am really sorry to hear about the hon. Lady’s constituent. That is absolutely appalling, and unfortunately it is all too regular an occurrence. I agree that it would be a good thing for this House to debate; she might like to seek a Backbench business debate. She will be aware that the Government are taking action through the Law Commission review to ensure that everything that is illegal offline is also illegal online.

Martin Vickers (Cleethorpes) (Con): Notable among the successful candidates in the North East Lincolnshire Council elections were Callum Procter and Oliver Freeston, because of their relative youth. Indeed, the Grimsby Telegraph reports that Oliver Freeston is the youngest councillor in the country—he now represents Croft Baker ward in Cleethorpes. May we have a debate in Government time to look at how we encourage young people to stand for elected office?

Andrea Leadsom: Congratulations to Oliver Freeston and to my hon. Friend on the success in the local elections. He is exactly right: we do want to encourage more people to come into Parliament. As we often discuss, it is vital to ensure that people feel that they can be respected and are not threatened or abused online or in person when they decide that they want to put themselves forward to support and represent their constituents and to make this world of ours a better place.

Nick Smith (Blaenau Gwent) (Lab): When will we see a Government decision on the maximum stakes for fixed odds betting terminals? The Times reports today that the Secretary of State for Work and Pensions has stymied progress on dealing with these addictive betting machines.

Andrea Leadsom: We all want to see more steps taken to prevent and to get rid of the problem of gambling addiction. The Government will come forward soon with our proposed recommendations following the consultation that has been taking place.

Kirstene Hair (Angus) (Con): As my right hon. Friend may be aware, Angus Council is due to remove Stracathro Primary School from the consultation on the closure of rural schools. This is in no small part down to the vibrant campaign by my local constituents and parents from the school, and I fully endorse that campaign. Will my right hon. Friend agree to a debate in this House about the importance of community engagement?
Andrea Leadsom: I totally agree with my hon. Friend. She is a very strong voice for her constituents, and I am very happy to congratulate the parents and pupils of the schools on the successful campaign that they have run.

Vernon Coaker (Gedling) (Lab): May we have an urgent debate on the provision of extra care housing? Tory-controlled Nottinghamshire County Council has just announced the closure of five of its care homes across the whole of the county, including one, Leivers Court, in Arnold in my constituency. This is at a time when there is a shortage of such housing. Hundreds, if not thousands, of people across the country are in hospitals because they are unable to be discharged into these types of facilities. It is a real problem, and the reason that the county council is doing this is that it saves it £4.3 million.

Andrea Leadsom: I am very concerned to hear about that. The hon. Gentleman may wish to seek an Adjournment debate to raise it directly with Ministers. As he knows, however, the Prime Minister’s personal domestic priority is new housing for all types of people, whether they need extra care or are just starting out on the housing ladder. That is a top priority for the Government, and we are making progress with it.

Douglas Ross (Moray) (Con): Your own Speaker’s whisky, Mr Speaker, is distilled in Speyside, in my constituency. We recently had another very successful Spirit of Speyside Whisky Festival, at which 116 events were sold out within 24 hours. May we have a debate on whisky tourism? That would allow me to thank the chairman of the festival, James Campbell, for the excellent work that he and others do and to congratulate all the award winners, including Ian Urquhart and Laurie Piper.

Andrea Leadsom: Let me extend my congratulations to Ian Urquhart and Laurie Piper on their successes and congratulate my hon. Friend on raising a very important issue. The whisky industry is the United Kingdom’s largest single food and drink sector and accounts for 80% of Scottish food and drink exports. Having had the great pleasure of touring some of Scotland’s finest food and drink businesses, including a visit to the Scotch Whisky Association, I absolutely concur with him that these superb products are vital to the UK economy.

Geraint Davies (Swansea West) (Lab/Co-op): In Swansea, the UK Government have cut £1.7 billion of rail investment, breaking David Cameron’s promise to invest in rail electrification. As a result, the Virgin Media centre has closed, and 470 jobs have moved to Manchester because of HS2. When will we have a debate particularly on investment in areas that have convergence funding and that stand to lose that money because of Brexit, at a time when we need vital investment in, for instance, rail and the tidal lagoon?

Andrea Leadsom: The hon. Gentleman has raised a series of very significant issues. I encourage him to raise them directly during Transport questions on 24 May.

Several hon. Members rose—

Mr Speaker: Order. As colleagues will know, there is a statement to follow. I have no idea how well subscribed it will be, but it is on an important matter. Moreover, the first, in particular, of the two Backbench Business debates is very well subscribed. I would like to accommodate remaining colleagues, but I should be very grateful if they felt able to be especially pithy today.

Judith Cummins (Bradford South) (Lab): I recently visited the charity Carers’ Resource in Bradford. That charity, along with the 7 million unpaid carers for both the young and old across the UK, have been waiting since 2016 for the Government to publish a national carers strategy and action plan. Can the Leader of the House tell us when that report will be published, and will she grant Government time for us to discuss these important issues on the Floor of the House?

Andrea Leadsom: Let me first join the hon. Lady in thanking all the carers up and down the country who do so much in our communities. If she would like to write to me, I will see whether I can obtain further information on where the report is.

Paula Sherriff (Dewsbury) (Lab): In my constituency last year, mum of three Hamida Sidat had her life brutally taken away from her when she was hit by an unlicensed, uninsured driver who left the scene of the accident. He was later sentenced to two years in jail. May we have a debate on when the Government will introduce the Bill to increase the sentences given to those who are found guilty of causing death by dangerous driving, which they promised to introduce in October 2017?

Andrea Leadsom: The hon. Lady has raised a harrowing case and I am very sorry to hear about it. The Attorney General is sitting on the Front Bench and has heard what she has said. I will certainly ask him for a further update.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): May we have an oral statement from the Cabinet Office on why the devolution guidance notes relating to Wales, and Wales alone, in respect of withdrawal from the European Union have been changed and no longer presume that legislative consent is required for changes in devolved competence? That fundamentally undermines the Welsh constitution, which has been endorsed in two separate referendums.

Andrea Leadsom: I can tell the hon. Gentleman that the Government are absolutely committed to working closely with each of the devolved Administrations on all issues relating to Brexit legislation, and we will continue to do so.

Vicky Foxcroft (Lewisham, Deptford) (Lab): I am feeling extremely frustrated. There were two shootings in my constituency this weekend. What are the Government doing about this? They say they have published a serious domestic priority is new housing for all types of people, whether they need extra care or are just starting out on the housing ladder. That is a top priority for the Government, and we are making progress with it.

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Several hon. Members rose—

Mr Speaker: Order. As colleagues will know, there is a statement to follow. I have no idea how well subscribed it will be, but it is on an important matter. Moreover, the first, in particular, of the two Backbench Business debates is very well subscribed. I would like to accommodate remaining colleagues, but I should be very grateful if they felt able to be especially pithy today.

Judith Cummins (Bradford South) (Lab): I recently visited the charity Carers’ Resource in Bradford. That charity, along with the 7 million unpaid carers for both the young and old across the UK, have been waiting since 2016 for the Government to publish a national carers strategy and action plan. Can the Leader of the House tell us when that report will be published, and will she grant Government time for us to discuss these important issues on the Floor of the House?

Andrea Leadsom: Let me first join the hon. Lady in thanking all the carers up and down the country who do so much in our communities. If she would like to write to me, I will see whether I can obtain further information on where the report is.

Paula Sherriff (Dewsbury) (Lab): In my constituency last year, mum of three Hamida Sidat had her life brutally taken away from her when she was hit by an unlicensed, uninsured driver who left the scene of the accident. He was later sentenced to two years in jail. May we have a debate on when the Government will introduce the Bill to increase the sentences given to those who are found guilty of causing death by dangerous driving, which they promised to introduce in October 2017?

Andrea Leadsom: The hon. Lady has raised a harrowing case and I am very sorry to hear about it. The Attorney General is sitting on the Front Bench and has heard what she has said. I will certainly ask him for a further update.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): May we have an oral statement from the Cabinet Office on why the devolution guidance notes relating to Wales, and Wales alone, in respect of withdrawal from the European Union have been changed and no longer presume that legislative consent is required for changes in devolved competence? That fundamentally undermines the Welsh constitution, which has been endorsed in two separate referendums.

Andrea Leadsom: I can tell the hon. Gentleman that the Government are absolutely committed to working closely with each of the devolved Administrations on all issues relating to Brexit legislation, and we will continue to do so.

Vicky Foxcroft (Lewisham, Deptford) (Lab): I am feeling extremely frustrated. There were two shootings in my constituency this weekend. What are the Government doing about this? They say they have published a serious
Andrea Leadsom: First, I thank the hon. Lady for all the work she does. She has raised this issue a number of times. I am looking to provide a slot. There are many competing priorities for time in this Chamber, as she will appreciate, but I am aware of the appalling violence that took place over the weekend, some of it in her constituency. The UK has some of the toughest gun laws in the world and we are determined to keep it that way. We have already consulted on new laws on offensive and dangerous weapons and we will bring forward further measures as soon as we are able to do so.

Marsha De Cordova (Buttersea) (Lab): Community transport is vital to many of my older and disabled constituents, but proposed changes by the Department for Transport risk imposing huge costs on local providers, including Wandsworth Community Transport. May we have a debate in Government time to discuss this important issue and the potential impact and loss of transport services for older and disabled people?

Andrea Leadsom: The hon. Lady raises an important issue and I think we absolutely agree. My constituency also has issues involving the loss of community transport. It is a very important matter. I encourage her to raise it directly at Transport oral questions on 24 May.

Rachael Maskell (York Central) (Lab/Co-op): Eight weeks today, we will be marking the 70th anniversary of the NHS. How will the House be marking that and will the Leader of the House make sure that there is significant Government time to debate the serious challenges now facing the NHS?

Andrea Leadsom: I know that we will all want to celebrate the amazing achievements of the NHS. A lot of consideration is being given now to exactly how we can celebrate it. The hon. Lady may be aware that there will be a debate next Wednesday, 16 May, on the 70th anniversary of the NHS and public health, which she might want to attend. I am delighted that the hon. Lady raises an important constituency case that I suggest she take up directly with Home Office Ministers, or if she writes to me, I can take it up with them on her behalf.

Chris Elmore (Ogmore) (Lab): The Leader of the House may be aware that in many of our businesses and shopping centres across the UK there is a distinct lack of changing places such as slightly larger disabled toilets with facilities mainly for adults and children in wheelchairs. Will she find time for a debate in Government time on the urgency of a much needed changing areas?

Andrea Leadsom: I am very sympathetic to the hon. Gentleman raising this point. I agree that it is vital that there are places for people to change, whether they have babies or are people with disabilities. I encourage him to raise the matter in an Adjournment debate so he can take it up directly with Ministers.

Angela Smith (Penistone and Stocksbridge) (Lab): The other week, my hon. Friend the Member for Gedling (Vernon Coaker) led a very successful debate in Westminster Hall on the work of the Council of Europe, in which the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) called for an annual debate in this Chamber on that topic in Government time. That was unanimously supported, so will the Leader of the House look at this proposal seriously and report back to tell us her view?

Andrea Leadsom: The hon. Lady raises an important point. It has been suggested that the Council of Europe may become increasingly important and relevant as we seek to leave the European Union. I am always happy to hear suggestions from the House and to consider them seriously.

Alison Thewliss (Glasgow Central) (SNP): A constituent of mine has now twice been refused a visitor visa for her mother, once after her infant child died in 2016 from the rare genetic condition GM1 gangliosidosis, and recently again when she applied for her mother to come and visit her son, who, sadly, has the same genetic progressive disorder. May we have a debate in Government time about compassion in the Home Office because it is sorely needed?

Andrea Leadsom: The hon. Lady will be aware that the Home Office is looking carefully at ensuring the right level of sympathy and empathy in particular cases. She raises an important constituency case that I suggest she take up directly with Home Office Ministers, or if she writes to me, I can take it up with them on her behalf.

Liz McInnes (Heywood and Middleton) (Lab): Two weeks ago, I asked the Leader of the House for a statement on whether the long-overdue NHS pay award for staff would be fully funded, and she advised me to bring it up in Health questions. I tried to do that on Tuesday but unfortunately was not chosen. Can she advise me on how I might obtain either a statement or a debate on whether the pay award will be fully funded?

Andrea Leadsom: I suggest that the hon. Lady table a parliamentary written question, which would get her the answer she seeks, but I think we can all celebrate the fact that more than 1 million NHS workers will benefit from the new pay deal. In particular, the lowest starting salary in the NHS will increase from £15,404 to £18,000 in 2020-21.

Tonia Antoniazzi (Gower) (Lab): This week, the Business, Energy and Industrial Strategy Committee and the Welsh Affairs Committee held a joint hearing on the Swansea bay tidal lagoon. In Swansea and Gower, we are absolutely desperate for some good news, following the tragic job losses this week. Please can we have some good news for south Wales, and please will the Leader of the House find time to discuss the urgency of a decision on the tidal lagoon?

Andrea Leadsom: I am very sympathetic to the hon. Lady’s request. As she will know, there has been a lengthy discussion, particularly about the Swansea bay tidal lagoon, on the grounds that it is a very expensive and complex project. Nevertheless, I encourage her to seek an Adjournment debate so that she can take it up directly with a Minister what the progress is on that important project.
The hon. Gentleman is right to raise the matter in this place, and perhaps that in itself will spark a reply. He could also write to BEIS Ministers and ask them to look into it on his behalf.

Andrea Leadsom: I certainly share the hon. Gentleman’s concern. If he writes to me with details of his letter, I can ask the Foreign Office to reply to him urgently.

Justin Madders (Ellesmere Port and Neston) (Lab): My constituents Mr and Mrs Owen are law-abiding citizens with a strong interest in animal welfare, and as such have reported illegal hunting activities to Cheshire police several times, but one day they found themselves visited by officers from the counter-terrorism unit. We have never had a straight answer about how they ended up coming to the unit’s attention. Can we have a debate please on greater transparency within the police?

Andrea Leadsom: The hon. Gentleman raises an incredibly important point. There is an increasing awareness that many long-term conditions have mental health problems associated with them. The Government are committed to achieving greater parity of esteem between physical and mental health and are putting significant new funding into expanding mental health services. I encourage her to seek a further debate so that she can raise this particular issue directly with Ministers.
housing in Glasgow. However, social housing problems are as critical and acute as they ever were, in the city of Glasgow and all around the UK, so please will the Leader of the House arrange a debate in Government time on the critical issue of providing more social housing for the people of this country?

Andrea Leadsom: I join the hon. Gentleman in paying tribute to the ex-Speaker, Michael Martin, and I congratulate you, Mr Speaker, on your effort to go there and be part of his funeral. I am sure that that was appreciated by his family and friends. I also congratulate the hon. Gentleman’s constituency business on receiving those fantastic awards and on all it is doing for social housing. I can tell him that it is the Prime Minister’s personal priority to address all areas of our housing shortage across the United Kingdom. In terms of affordable and social housing, a further £2 billion is now going up to affordable homes, which brings the Government’s commitment to social, council and low-cost homes up to more than £9 billion, which we believe will make a significant difference.

Andrea Leadsom: This is an important industry for the United Kingdom, and I know that all right hon. and hon. Members want to ensure that we continue to have a thriving steel sector. The hon. Lady has spoken about this a number of times, and she is right to do so. I encourage her to seek an Adjournment debate so that she can talk directly to Ministers about what more can be done to defend the sector.

Caroline Harris (Swansea East) (Lab): Will the Leader of the House make time for a debate on Virgin Media’s decision to close its flagship site in my constituency? There are currently 772 jobs at risk, but Virgin Media’s management are being obstructive by denying Assembly Members and Members of Parliament access to the staff.

Andrea Leadsom: I am very sorry to hear about that, and the hon. Lady is right to raise the matter in the House. I encourage her to seek an early Adjournment debate so that she can take the matter up directly with Ministers.

Jo Stevens (Cardiff Central) (Lab): Tomorrow evening, Cardiff Blues will play in the final of the European Challenge Cup. Will the Leader of the House join me in wishing them luck and in congratulating Cardiff City on winning promotion to the premier league and Cardiff Devils on winning the ice hockey elite league? May we have a debate on the great sporting successes of Cardiff?

Andrea Leadsom: May I offer huge congratulations to Cardiff and to the hon. Lady on raising the matter in the House of Commons? I am absolutely sure that her constituents will be delighted to hear their achievements being proclaimed in this place.

Mr Speaker: Last but not forgotten: Gloria De Piero.

Gloria De Piero (Ashfield) (Lab): Thank you, Mr Speaker. Antisocial behaviour is a big issue in my constituency. The vandalism, nuisance neighbours and repeated aggressive behaviour are often described as low level but they can make life a living hell for the victims. May we have a debate on whether the existing tools are tough enough?

Andrea Leadsom: The hon. Lady is exactly right. Antisocial behaviour is a real blight on people’s lives and I am sure that we have all had constituency cases involving people who simply cannot cope with these levels of antisocial behaviour. A lot has been done to give the police more powers to tackle this, but I encourage her to seek an Adjournment debate or perhaps a Backbench business debate, so that all Members can share their views with Ministers.

Sir Christopher Chope: On a point of order, Mr Speaker. This arises directly from business questions, during which we made reference to the Delegated Legislation Committee that is due to sit on Monday afternoon to discuss the abolition of Christchurch Borough Council. Because this hybrid instrument affects Christchurch exclusively, I applied to serve on the Committee that will consider it—I made my application to the Selection Committee. I hoped that I would then be able to raise in Committee the criticism that has been made from the House of Lords Secondary Legislation Scrutiny Committee, as well as issues relating to the instrument being a retrospective measure, which, as I said, is the subject of potential legal proceedings. What can be done to reverse the Selection Committee’s decision that I should not be allowed to be a full member of the Delegated Legislation Committee? It is surely right that minority interests, particularly when one constituency is uniquely affected, should be able to be fully represented on a Committee. Obviously, I can attend the Committee, but I cannot participate fully in it. Is there any remedy available through which I can try to get myself on to that Committee?

Sir Edward Leigh (Gainsborough) (Con): I am grateful to the hon. Lady for her point of order. Mr Speaker. Antisocial behaviour is a real blight on people’s lives and I am sure that we have all had constituency cases involving people who simply cannot cope with these levels of antisocial behaviour. A lot has been done to give the police more powers to tackle this, but I encourage her to seek an Adjournment debate or perhaps a Backbench business debate, so that all Members can share their views with Ministers.

Mr Speaker: I am grateful to the hon. Member for Christchurch (Sir Christopher Chope) for his point of order, and I will respond to it when I have heard the hon. Member for Gainsborough (Sir Edward Leigh).

Sir Edward Leigh: Further to that point of order, Mr Speaker. In support of my hon. Friend for Christchurch, may I say that no one in this House has worked harder on the issue than he has? He is the local Member, and he has fought almost a one-man campaign. It defies logic and belief that he is the one person who should be excluded from the Committee. He has a right to be heard.

Mr Speaker: I am grateful to the hon. Member for Christchurch and to his hon. Friend the Member for Gainsborough, who has just spoken in his support. My response is as follows. There is nothing whatsoever to prevent the hon. Member for Christchurch from attending the Committee. Moreover, if he wishes to speak in the proceedings of the Committee, he will be eligible to do so, and I am sure that, under any fair-minded Chair, he will have the opportunity to do that. I accept that the non-appointment of the hon. Gentleman to the Committee...
is an important detriment so far as he is concerned, but it simply means that although he can attend and speak, he cannot vote if he is not a member of the Committee.

Secondly, no obvious means occur to me whereby the decision can be reversed. There is no procedural opportunity via the Chair, for example, or initiated by anyone other than the Government via the Chamber. Some people might think—I think this is the gravamen of the point raised by the hon. Member for Gainsborough—that it is perhaps less than collegiate, kind or courteous on the part of the powers that be knowingly and deliberately to exclude the hon. Member for Christchurch from the Committee. Unfortunately, in matters of this kind, the Chair has no responsibility for collegiality, courtesy or kindness. The Leader of the House, however, is an extremely senior figure in our political system. As she has pointed out, she is well aware that she is not just the Government’s representative in the House, but the House’s representative in the Government. She may feel that she does have such a role, and she may or may not wish to be sensitive to the concerns that her hon. Friends have raised, but that has to be a matter for her. I might suggest that perhaps she and the hon. Gentleman have a cup of tea together. I have known the hon. Gentleman for over 30 years, and he is a formidable parliamentarian. Certainly, he should be treated accordingly.

Belhaj and Boudchar: Litigation Update

12.21 pm

The Attorney General (Jeremy Wright): With permission, Mr Speaker, I would like to make a statement. In 2012, Mr Abdul Hakim Belhaj and his wife, Mrs Fatima Boudchar, brought a claim against the United Kingdom Government and two individuals: the right hon. Jack Straw, the former Foreign Secretary; and Sir Mark Allen, a former director at the Foreign Office. The claimants alleged that the UK Government were complicit in their abduction, detention and rendition to Libya in 2004, and in the treatment they suffered at the hands of others. Mrs Boudchar was pregnant at the time.

The claimants’ case, in outline, is that in early 2004, they were detained and forcibly conveyed through a number of jurisdictions by others, ultimately to be handed over to the Libyan regime of which Mr Belhaj was an opponent. During this period, they were subjected to a harrowing ordeal that caused them significant distress. Mrs Boudchar was released from detention in Libya in June 2004 and gave birth shortly afterwards. Mr Belhaj was not released until March 2010.

The claims against Jack Straw and Sir Mark Allen were withdrawn on 3 May 2018. Today, I can announce to the House that, following mediation, the UK Government have reached a full and final settlement of Mr Belhaj’s and Mrs Boudchar’s claims. I pay tribute to the constructive way in which Mr Belhaj and Mrs Boudchar have approached the mediation. This has been a long-running and hugely complex piece of litigation that has been difficult for all individuals involved as parties.

As we have seen in recent years, there remains a considerable international threat to the UK and our allies. It is important that the Government, and the security and intelligence agencies, are able to respond properly to keep our country safe, but it is also important that we should act in line with our values and in accordance with the rule of law. That means that when we get things wrong, it is right and just that we acknowledge it, compensate those affected and learn lessons. I believe this is such a case.

The settlement of this claim has been agreed out of court. The main elements of the agreement I can report to the House are as follows. First, no admissions of liability have been made by any of the defendants in settling these claims. Secondly, the claimants have now withdrawn their claims against all the defendants. Thirdly, the Government have agreed to pay Mrs Boudchar £500,000; Mr Belhaj did not seek and has not been given any compensation. Finally, I have met Mr Belhaj and Mrs Boudchar—indeed, Mrs Boudchar is present in the Gallery to hear this statement—and the Prime Minister has now written to them both to apologise.

I think it right that I should set out to the House the terms of that apology in full:

“The Attorney General and senior UK Government officials have heard directly from you both about your detention, rendition and the harrowing experiences you suffered. Your accounts were moving and what happened to you is deeply troubling. It is clear that you were both subjected to appalling treatment and that you suffered greatly, not least the affront to the dignity of Mrs Boudchar, who was pregnant at the time. The UK Government believes your accounts. Neither of you should have been treated in this way.
Mr Belhaj and Mrs Boudchar: Litigation

Update

10 MAY 2018

Mrs Boudchar is indeed in the Public Gallery, and I am sure the whole House will sympathise with her and with Mr Belhaj. They suffered appalling treatment at the hands of others. What happened to them both is deeply disturbing, and I can only hope that the settlement of the legal case allows some closure on a terrible set of events.

The Prime Minister has written to Mr Belhaj and Mrs Boudchar to apologise for the appalling treatment they suffered. She was entirely right to do so and to accept, unequivocally and unreservedly, the failings on the part of the UK Government at that time. I, of course, agree with the Attorney General that our security and intelligence services carry out great work in helping to make us all safe, but the rule of law must always be respected and must always guide the Government’s actions. Our security and intelligence services must be properly overseen. When things do go wrong, it is right to acknowledge that in very clear terms, to do what can be done to make recompense and to learn lessons going forward. The Attorney General’s statement rightly raised problems regarding information sharing, the need for more actions to reduce the risk of mistreatment and missed opportunities to alleviate suffering. We can and must do all that we can to stop this happening again.

The relationship between our intelligence and security services and the Government is now subject to a different framework, which is a welcome step forward. The statutory rights of the Intelligence and Security Committee, independent of the Government, to review past intelligence operations and to have direct access to agency papers are important. It is crucial that Ministers will be consulted whenever UK personnel are involved in a planned operation and believe that a detainee is at serious risk of mistreatment by another state. I appreciate that the Attorney General is, understandably, limited in what he can say openly, but I would ask for an assurance that such consultation with Ministers will be detailed, considered and informed by as much information as can be reasonably made available to them at the time.

Will the Attorney General assure me that we will always be vigilant in ensuring that the framework within which our intelligence and security services operate is robust and always shaped by our values of the rule of law, liberty and human rights? After all, it is only by behaving according to those standards ourselves that we can stand up for those values all around the world.

The Attorney General: I thank the hon. Gentleman for his remarks and for the tone of them. He is right to say that one thing we should seek to achieve, not least for Mr Belhaj and Mrs Boudchar, is the ability for them to have closure and to move on with their lives. He is also right to say that the framework in place for the future must be properly robust and ensure that this kind of thing does not happen again. He asked me about consultation with Ministers on questions of this nature. I am sure he will be aware of the consolidated guidance published by the coalition Government in 2010, which of course we keep under review. It indicates clearly that when it comes to the treatment of detainees and information obtained from them, there are clear expectations of the intelligence agencies; where necessary, they should refer matters to Ministers; and when they do so Ministers should be properly informed of the background to the decisions they are being asked to take.

[The Attorney General]

The UK Government’s actions contributed to your detention, rendition and suffering. The UK Government shared information about you with its international partners. We should have done more to reduce the risk that you would be mistreated. We accept this was a failing on our part.

Later, during your detention in Libya, we sought information about and from you. We wrongly missed opportunities to alleviate your plight: this should not have happened.

On behalf of Her Majesty’s Government, I apologise unreservedly. We are profoundly sorry for the ordeal that you both suffered and our role in it.

The UK Government has learned many lessons from this period. We should have understood much sooner the unacceptable practices of some of our international partners. And we sincerely regret our failures.”

I hope that the Government’s acknowledgment of these events in those unequivocal terms, and the apology they have each been given, will be of some comfort to Mr Belhaj and Mrs Boudchar. As the Prime Minister observed in her letter to them both, the Government have learned lessons from this period.

These events took place in the period after the 11 September 2001 attacks. It was a period in which we and our international partners were suddenly adapting to a completely new type and scale of threat. It is clear, with the benefit of hindsight, that the Government, the agencies and their staff were, in some respects, not prepared for the extreme demands suddenly placed on them. The unacceptable practices of some of our international partners should have been understood much sooner.

The Government have enacted reforms to ensure that the problems of the past will not be repeated. We have made it clear that Ministers must be consulted whenever UK personnel involved in a planned operation believe that a detainee is at serious risk of mistreatment by a foreign state. We have also improved Parliament’s ability to oversee the actions of the agencies through the Justice and Security Act 2013.

The Intelligence and Security Committee is a Committee of Parliament and is fully independent of the Government. It has a statutory right to review past intelligence operations, and the Committee and its staff have direct access to agency papers. These reforms mean that the framework, which is a welcome step forward. The statutory rights of the Intelligence and Security Committee, independent of the Government, to review past intelligence operations and to have direct access to agency papers are important. It is crucial that Ministers will be consulted whenever UK personnel are involved in a planned operation and believe that a detainee is at serious risk of mistreatment by another state. I appreciate that the Attorney General is, understandably, limited in what he can say openly, but I would ask for an assurance that such consultation with Ministers will be detailed, considered and informed by as much information as can be reasonably made available to them at the time.

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The Attorney General: I thank the hon. Gentleman for his remarks and for the tone of them. He is right to say that one thing we should seek to achieve, not least for Mr Belhaj and Mrs Boudchar, is the ability for them to have closure and to move on with their lives. He is also right to say that the framework in place for the future must be properly robust and ensure that this kind of thing does not happen again. He asked me about consultation with Ministers on questions of this nature. I am sure he will be aware of the consolidated guidance published by the coalition Government in 2010, which of course we keep under review. It indicates clearly that when it comes to the treatment of detainees and information obtained from them, there are clear expectations of the intelligence agencies; where necessary, they should refer matters to Ministers; and when they do so Ministers should be properly informed of the background to the decisions they are being asked to take.

I, of course, agree with the Attorney General that our security and intelligence services carry out great work in helping to make us all safe, but the rule of law must always be respected and must always guide the Government’s actions. Our security and intelligence services must be properly overseen. When things do go wrong, it is right to acknowledge that in very clear terms, to do what can be done to make recompense and to learn lessons going forward. The Attorney General’s statement rightly raised problems regarding information sharing, the need for more actions to reduce the risk of mistreatment and missed opportunities to alleviate suffering. We can and must do all that we can to stop this happening again.

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Mr Belhaj and Mrs Boudchar: Litigation

Update

10 MAY 2018

Mr Belhaj and Mrs Boudchar: Litigation

Update

12.29 pm

Mr Speaker: I thank the Attorney General for that statement, which very properly will have been heard by Mrs Boudchar and a great many others.

Nick Thomas-Symonds (Torfaen) (Lab): I am grateful to the Attorney General for the statement and for advance sight of it.
The hon. Gentleman is, of course, also right to say that the framework that surrounds all these activities must be fundamentally based on our values, one of which is the capacity of this Government or any Government to accept where mistakes have been made and apologise for them.

Mr Kenneth Clarke (Rushcliffe) (Con): As chairman of the all-party group on extraordinary rendition, may I unreservedly welcome this statement and the tone of it, and congratulate the Prime Minister and the Attorney General on producing it? My main regret is that it has taken so many years to produce it. These events took place in 2004, and as long ago as 2013 Mr Belhaj offered to settle this case for £3 compensation and an apology—that was rejected. The whole thing has now reached a much better resolution, and my right hon. and learned Friend has expressed all the sentiments we all feel about proper standards in the service. Does he accept that we now need to move quickly to the most important thing, which is to be reassured that nothing of this kind is likely to happen again and that our intelligence services will not get embroiled in such serious breaches of human rights?

The Intelligence and Security Committee is shortly to produce a report that covers these matters. Will my right hon. and learned Friend therefore assure me that it will be followed by a ministerial statement that will set out as clearly as is possible, given the security problems, the facts that the Government are now prepared to disclose as to how this happened and, more importantly, how future rules and the consolidated guidance are to be so revised that we can be reassured that for the foreseeable future it is highly unlikely that the British will ever be involved in such an embarrassing situation?

The Attorney General: I am grateful to my right hon. and learned Friend for that, and I share his regret that it has taken this long to resolve the matter. He may know that in recent months—and it has been recent months—the Prime Minister has asked me to look in particular at this case and to lead the mediation process that recently concluded. What needed to be done here was apparent to me very quickly following my involvement in the case: there needed to be a resolution of this matter and an apology. Although, as he knows, this is an immensely complex matter, legally, factually and in many other ways, it is extremely welcome that we have been able to resolve matters as we have.

In so far as reassurance for the future is concerned, my right hon. and learned Friend has heard me say something about, and of course he knows about, the changes that have been made, since the incidents I have described, to the systems that we apply here. He knows from his experience in government—I have certainly found this in mine—that the way in which decisions of this nature are taken is now fundamentally different from the way in which they previously were, and that provides us with some reassurance. He also mentions the ISC report, which we await. I hope he will be reassured to know that, as far as I know, the Committee has been provided with the information that it has asked for in relation to this case—I know the Committee will ask again if there is more that it requires. When it has produced its report, the Government will of course seek to respond in a meaningful way to it.

Joanna Cherry (Edinburgh South West) (SNP): It is a pleasure to see you in the Chair, Mr Deputy Speaker. I thank the Attorney General for the tone of his statement and for generously giving me advance sight of it. His statement acknowledges that a previous UK Government were complicit in the abduction, detention and rendition to Gaddafi’s Libya of a man who was an opponent of that vile regime. That is particularly shocking to us when we remember that the blood of so many innocent civilians, including British civilians, was on Gaddafi’s hands. The extraordinary rendition of Mrs Boudchar makes this even worse, particularly as she was pregnant at the time. I pay tribute to her fortitude in pressing this claim and in being here today.

The UK Government’s complicity in these events is shameful and is a gross breach of international humanitarian law, human rights and the rule of law. I am pleased that the Attorney General has acknowledged that lessons must be learned and sought to give us some reassurance for the future. May I ask him three questions? Will he specifically assure the House that such an occurrence could not take place again under a UK Government? Will he assure this House that in future information will not be shared with so-called international partners who flout international law and human rights?

Can he tell us whether the investigations that have gone into settling this claim have uncovered whether what happened was part of the dark side of Tony Blair’s deal in the desert with Gaddafi in 2004?

The Attorney General: May I start at the end, but first express my gratitude to the hon. and learned Lady for her remarks and the tone of them? She will understand that I cannot comment in detail about the position on the behaviour of the former Prime Minister and his Government. I am sure she will expect that Tony Blair has been told about the outcome of this process, and that is the case, but I cannot comment further on what happened during the course of his Government.

The other two questions the hon. and learned Lady asks are about the future, and she raises concerns that the whole House will have about how certain we can be that this will never happen again. The best that I can do is to restate the points that I know the Committee highlighted. There are fundamental changes that have occurred. She will be conscious of the substantial difference that the changes that I have described have made, not just to the processes that the Government apply in such cases but to the approach that they take to them. Formality needed to be brought back into these processes, and it is now there. The hon. and learned Lady will know that as Attorney General I am now a full member of the National Security Council; for me, that is a clear indication of the seriousness with which the Government take the questions of legality and the rule of law that must of course be at the heart of these judgments.

On the broader picture, the hon. and learned Lady will recognise that it is vital that the British Government and their agencies are able to recover intelligence that enables us to keep the British people safe, and it is difficult to give the absolute assurances that she seeks. The best that any Government can do is put in place the processes and practices that mean that the right values are applied to the judgments that we have to take, including in what are very difficult cases. I hope I have been clear that on this occasion we did not get those judgments right. We must do better in future.
Mr Andrew Mitchell (Sutton Coldfield) (Con): My right hon. and learned Friend has done exactly the right thing today and has cleared up a disgraceful incident, which was of course not of this Government’s making. He has also underlined the debt that we owe to the men and women of the security and intelligence services, who almost always conduct themselves with complete propriety and effectiveness. The lesson from all this is surely that the officials who help us to stay safe and who defend our country in the shadows must never play fast and loose with human rights and international humanitarian law, which are the rocks on which the safety of us all depends.

Will my right hon. and learned Friend ensure that he sends to his opposite number in Washington the relevant details of this issue in respect of Gina Haspel, whose hearing for the role of CIA director is currently taking place? She was involved in the management of the black site in Thailand at which Fatima Boudchar was held and so grievously mistreated.

The Attorney General: I am grateful for the right hon. Gentleman for his comments. On his first point, he is right that consolidated guidance should be kept under review. He asks perfectly reasonably that there is contact with our international partners about this case and that where we can we give information about it and about the way in which we have chosen to deal with it. Of course, we must also give the clearest possible signal to all our allies and those with whom we deal about what our standards are, what we expect and what we will not accept.

Mr George Howarth (Knowsley) (Lab): I congratulate the Attorney General on the statement and the sensitive way in which he put the argument.

First, I was a member of the Intelligence and Security Committee for 11 years, and in the period leading up to the 2010 election the Committee did a substantial amount of work on what consolidated guidance should look like. In the event, the coalition Government issued a completely different set of consolidated guidance. Will the Attorney General undertake to look at the work that was done by the Committee to see whether any additions can be taken from it?

Secondly, I am aware that, as has already been conceded, there were failures of record keeping and failures on the part of the agencies in respect of the way ministerial authorisations were sought at that time and in those sets of circumstances. I am aware that there have been improvements since then, but will the Attorney General undertake to keep both of those things under review? They are important and I suspect that they played a part in this particular case.

The Attorney General: I am grateful to my right hon. Friend for his kind words. I can give him that reassurance. I indicated one element in which that reassurance manifests itself—full membership of the National Security Council for the Attorney General, which is a significant change—but there are others. I hope that I speak for my hon. and learned Friend the Solicitor General in saying that we believe that our participation in these decisions is where it should be. We have the opportunity to get our points across and will make sure that that continues to be the case.

Mr Robert Neill (Bromley and Chislehurst) (Con): I very much welcome the statement and congratulate the Attorney General on it and on the way he has handled this difficult and sensitive matter. It is right that the Prime Minister has responded promptly in the terms in which she has.

Will the Attorney General confirm not only that we are resolute in the maintenance of our adherence to all international and domestic legal standards and rules in this matter, but that in any revision of the consolidated guidance and any other procedures going forward, the involvement in a full sense of the Law Officers, and the full and complete documentation of all advice from the Law Officers to other members of the Government and to any operational agencies, will remain a central feature of the decision-making process?

The Attorney General: I am grateful to the hon. Gentleman. In relation to the system more broadly, it is important that we make what changes we can to ensure that we have the safeguards that we need to get as close as we can to a position in which we can answer the questions that the hon. and learned Member for Edinburgh South West (Joanna Cherry) asked earlier, in the most absolute terms that we can give.
justice should never rely on events as arbitrary and random as that. If we are now to restore confidence in the proper working of our intelligence services, will the Attorney General carry out the public consultation on the consolidated guidance that the intelligence services commissioner has recommended?

**The Attorney General:** I am grateful to my hon. Gentleman for his comments. He has taken a considerable interest in this case and I pay tribute to him for his continued attention to it.

On the right hon. Gentleman’s second point, as I mentioned, the consolidated guidance is a public document, which of course permits the public to comment on it. In my view, that is as it should be. As he has heard me say, we will continue to look at whether the guidance is in the right place. I believe that we will be particularly spurred into that by the upcoming ISC report. I hope that the right hon. Gentleman and other members of the public will have the opportunity to make their views known.

On the right hon. Gentleman’s first point, I think he and I are entirely in agreement that prevention is better than cure. It has been difficult to cure this case. I hope I have made it clear that we have done our best to resolve the case in a satisfactory fashion, but that is extremely difficult to do. It is far better to avoid such incidents occurring in the first place. It is about a system change and a culture change that brings that about, and I believe that in recent years—not least, may I say, under the coalition Government of which the right hon. Gentleman was a distinguished member—we have seen those changes.

**Victoria Prentis** (Banbury) (Con): I thank the Attorney General for his statement today. I worked on this case in my previous role as a Government lawyer, as of course have many Government lawyers over the years, and even though there are clearly no winners today, I ask him to join me in praising the work of lawyers in the Treasury Solicitor’s Department and the Security Service lawyers who themselves provide a barrier, where one is needed, in the difficult balancing act between the rule of law and protecting national security. However, I ask him to tell us what lessons have been learned with regard to our ability to speed up litigation, because this matter has gone on for far too long. I thank him for getting personally involved in the mediation and for going to carry out that mediation himself.

**The Attorney General:** I am grateful to my hon. Friend. She is right that a huge amount of work has been put into this case by lawyers on all sides, and very few people register that fact when the case is concluded, however it comes to be concluded. As a fellow lawyer, she will agree with me that it is always better to resolve cases outside the courtroom if one can. It seemed to me that there was a clear imperative in this case to do exactly that. It was, in my view, in nobody’s interest for this case to continue through the courts and to drag out the difficulties that it had caused to all concerned. I am delighted to see that it has been resolved. That, of course, has been a team effort, and I hope very much that this will enable us to draw a line under this incident, recognising as I do that there are lessons to be learned for the future.

**Andy Slaughter** (Hammersmith) (Lab): This has been a shameful episode. The Attorney General is right to express his sympathy and thanks to Mr Belhaj and Mrs Boudchar. He should perhaps extend his sympathies to other victims of rendition such as the al-Saadi family, and his thanks to those who have represented them, such as the Reprieve organisation and Leigh Day solicitors, often in the face of great hostility from some politicians and sections of the press. This case has also shone a light on the Justice and Security Act 2013. The right hon. and learned Member for Rushcliffe (Mr Clarke) took that Act through the Commons. I led the Opposition in Committee, and we expressed grave concerns about the ambit of that Act and the extension of closed material procedures. The Belhaj case over the past five years has justified those criticisms. Is this not the time to review that Act and the extent of closed material procedures, particularly if they look like they will encroach on criminal as well as civil proceedings?

**The Attorney General:** The hon. Gentleman heard me say that the process of resolving this case has taken considerable effort by not just the claimants themselves and others in the Government, but lawyers on both sides, and I am happy to repeat that. In relation to closed material proceedings, I am not sure that I would go as far as he does; I do not believe that this case demonstrates the lesson that he draws from it. I hope he will forgive me if I do not return to the arguments of 2013 around the Bill, not least because I wish to preserve the sanity of my right hon. and learned Friend, the Father of the House.

**Sir Edward Leigh** (Gainsborough) (Con): The Minister says that he should not criticise the Blair Government, but we can. Has any apology been given this morning from Mr Blair for rendering an opponent of a murderous regime into the hands of that regime? I doubt whether any apology has been given, any more than an apology has been given over Iraq. Further to that, the British Government have, quite rightly, given an apology. The British taxpayer is now paying considerable amounts of compensation, and quite rightly, too. One might ask: what compensation has this murderous former Libyan Government given to the poor people who died in the Lockerbie incident?

**The Attorney General:** My hon. Friend will be aware that the House is discussing just that matter later this afternoon. He will also know that the Government have not diminished their efforts to secure proper compensation in those cases. He knows—he has done it with me—that we have spent a good deal of time over the previous decade or so criticising the Blair Government, but my purpose today is to resolve the individual case that I have reported to the House. It seems to me a principle worth defending that the Government as an institution should take responsibility for what has happened here. In relation to the behaviour of individuals who were Ministers at the time or indeed civil servants, it is a principle worth defending that the Government continue to take responsibility for their actions. That is the best way to resolve cases of this nature.

**David Evennett** (Bexleyheath and Crayford) (Con): I welcome my right hon. and learned Friend’s statement and apology today and congratulate both him and the
Prime Minister on bringing a dignified end to this long-running case. Will he reaffirm that it is crucial that we always strike the correct balance between counter-terrorism and security and acting in accordance with the rule of law and, of course, our British values?

The Attorney General: I entirely agree with my hon. Friend. It is important that we continue to strike that balance, and where we get it wrong, we say so.

Alex Chalk (Cheltenham) (Con): I am very grateful to the Attorney General for his dignified and direct statement. It is absolutely right in these very troubling circumstances that the Government do not seek to cavil or equivocate. On two occasions in his statement, he referred to the unacceptable practices of international partners. Can he say anything more about what can be done to ensure that those do not persist in the future, and that if they do, the British Government play no part in them?

The Attorney General: I am grateful to my hon. Friend. He will recognise that some of the changes that have been made since this incident have, I hope, encouraged us to ask better questions and to ask them more persistently. I made reference to the consolidated guidance, of which he will know, and in relation to such documents, we make it very clear that intelligence operatives should ask questions, before information is handed over, about what will be done with that information and what may then happen. Therefore, we do need to see better questions asked more repeatedly, and that, I believe, is one of the changes that is occurring.

Mr Philip Hollobone (Kettering) (Con): If there was a failure of the intelligence services under the Tony Blair Government then it is right that an apology should be made. However, my constituents in Kettering will be stunned by the scale of the compensation; half a million pounds is a sum to which they could never aspire. I would like to know how that sum was arrived at. I believe that I heard the Father of House correctly when he said that there was an earlier opportunity to settle this case without that scale of compensation. Can the Attorney General update the House on that?

The Attorney General: There certainly have been other efforts made to resolve this matter. They have not been successful for a variety of different reasons. The resolution of the case on this occasion did, as I said in my statement, involve some compensation to Mrs Boudchar. I hope my hon. Friend will understand that many of the details of that settlement are confidential and I cannot discuss them in the House, but he has my assurance that, conscious as I am of the need to ensure that no further taxpayer money was spent that did not need to be spent, I would have needed to satisfy myself that compensation of this nature was appropriate. Again, I do not wish to go into the detail of what happened to Mrs Boudchar. She has said some of that herself, and it is in the public domain, but I am afraid that the necessity of compensating for what happened to her is, in my view, beyond doubt and is part of the appropriate approach that the Government now need to take.

Maggie Throup (Erewash) (Con): I welcome today’s statement and I trust that it will bring some closure to all those concerned. Will my right hon. and learned Friend indicate whether an assessment has been made, or will be made, of the impact that this settlement will have on intelligence sharing going forward?

The Attorney General: As I said earlier, the need to continue to share intelligence is vital. If we are to keep the British people safe from what are growing and more and more disparate threats, the flow of intelligence needs to continue, but none of that must be at the expense of the core values by which the United Kingdom lives. Therefore, we must strike the balance to which other Members have referred between continuing to deal with intelligence as my hon. Friend describes and making sure that our standards are maintained.

Kevin Foster (Torbay) (Con): I welcome the tone of the Attorney General’s statement. For me, the key lesson from this is that those who argue that the ends justify the means in relation to our national security are mistaken. What are the key lessons that the Attorney General and the Government have taken from this case?

The Attorney General: My hon. Friend sums up one of those lessons well. It is important that, taking from what has happened here, we understand that system changes need to be made, and behavioural and cultural changes need to take place, some of which, in my view, are well under way. However, none of us should be complacent about them and we should all be vigilant to ensure that we continue to apply our values. My hon. Friend is right, too, that if we allow our values to erode, then so shall our influence around the world.
Mental Health: Failing a Generation

HEALTH AND SOCIAL CARE COMMITTEE AND EDUCATION COMMITTEE

Select Committee statement

12.59 pm

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Mr Deputy Speaker, thank you for allowing me to address the House on behalf of the Health and Social Care Committee and the Education Committee. I am addressing the Select Committees’ report on the Government’s Green Paper on transforming children and young people’s mental health provision, which was published yesterday.

If I tell the House that the subtitle of our report is “failing a generation”, hon. Members will get a sense of our shared disappointment at the scope and scale of the Government’s Green Paper. We welcome the Green Paper but have serious concerns that it lacks ambition, as well as concerns about the very specific measures that it contains. It represents a huge missed opportunity. Every right hon. and hon. Member across the House will know that our mental health services are under enormous strain. There is growing demand that local services are often unable to meet. This is especially apparent when it comes to child and adolescent mental health services, or CAMHS. Our Committees reflect on the fact that half of all mental health conditions occur by the age of 14, and three quarters by the age of 24.

Around one in 10 children are living with some form of diagnosable mental health condition, but this figure stems from a prevalence study that was conducted back in 2004, and the results of a repeated study are not due until autumn this year. We heard from Jonathan Marron, the director general of community care at the Department of Health and Social Care, in an evidence session who said that this figure is not expected to go down. This represents hundreds of thousands of children and adolescents who will be affected by mental ill health, but for whom life should be filled with hope, opportunity and promise.

If ever there was a case for early intervention and, crucially, for preventive measures, it is children’s mental health. The earlier we diagnose and treat a child’s mental health condition when it appears, the better it is for the patient, their family and the NHS. If we leave it until there is a crisis, it is so much worse for those concerned, and costs the NHS and our country far more. So we might have hoped for a raft of preventive measures, tackling the root causes of mental ill health to keep our young people well. Instead, as we report, the Green Paper “fails to consider how to prevent child and adolescent mental ill health in the first place.”

This is a terrible omission, for if we can tackle the causes of mental ill health in children, we can prevent a lifetime of mental ill health in adults.

There is a significant evidence base for the importance of the first 1,001 days of a child’s life in their development and wellbeing. The Green Paper itself indicated how early years brain development is a key factor for a child’s future and their mental and physical health. We know that there are key factors that are more likely to give rise to child mental health problems, such as parental mental health problems—especially perinatal mental health—and adverse childhood experiences. They were referenced in the Green Paper, but only in passing. If the Government really want to effect change, they need to adopt a preventive approach and do much more work to address the needs of key vulnerable groups at risk of adverse childhood experiences, and very young children as well.

What about the scale of the Green Paper? We report that it lacks ambition. The majority of children will not benefit from the Government’s proposals to roll out “trailblazer” pilot schemes to tackle waiting time targets. These schemes will only affect between a fifth and a quarter of the country, and will not come into effect until 2022-23. That means that between three quarters and four fifths of children who need the extra support will simply not get it. We predict that hundreds of thousands of young people will be left without the proper care that they need, even if the Government’s strategy is a success on its own terms. We express concerns that funding is not guaranteed post-2021 and is dependent on an unspecified level of success. This strategy strikes us as being utterly devoid of ambition, negligent of the true level of need and storing up trouble for the future.

Then there is the question of tackling health inequalities. We heard from many witnesses—in both oral and written evidence—about the correlation between social disadvantage and mental health. The Centre for Mental Health told us that “the Green Paper makes little recognition of the wide inequalities in children’s mental health. At age 11 children from the poorest 20% of households are four times more likely to have a serious mental health difficulty as those in the wealthiest 20%”.

We asked how the Government’s mental health strategy was integrated in the Government’s other plans to contend with the issue of social mobility, but the Minister for School Standards told us that the two were not linked. Our Committees felt that this was a disappointing response and a massive missed opportunity.

We highlighted the need for services to be tailored for specific vulnerable groups—for example, looked-after children and children in care. The Green Paper’s current proposals will not deliver the support needed for these groups and will miss out others entirely, including children in the criminal justice system, young people who are not in education or training, excluded children and young people who are in further education or undertaking apprenticeships.

Further disappointment was visited upon us when we investigated the degree to which the Green Paper embodied joined-up government. Mental health services for children and adolescents is the archetypal area of policy that needs co-ordination across a range of agencies and Departments—from schools to the criminal justice system, and from the NHS to our youth services and social care. We were very disappointed that there was no reference at all to social workers in the Green Paper. We got no sense whatever that this Green Paper intends to break down the barriers, explode the silos and provide person-centred services. Our report states that “there must be effective coordination with other initiatives from across Government when building a new strategy.”
Beyond these strategic concerns and issues, our Committees had a number of concerns about specific areas of the Green Paper, and I hope that the House will not mind if I outline some of these.

We looked at the factors affecting children’s mental health, and the fierce system of high-stakes exams was highlighted both by the young people we heard from and educational professionals as a cause of mental ill health. We heard that very much while taking evidence. We reasserted the recommendation of our predecessor Committees that personal, social and health and economic education should be compulsory in all maintained and academy schools to educate young people about wellbeing and to give them a language to discuss their concerns and a space to build resilience.

We were especially concerned about the transition from child to adult mental health services at the age of 18, which was described to us as a “cliff edge”. We recommend that the Government commit to a full assessment of the current transition arrangements between child and adult mental health services. Our Committees looked at the mental health workforce and heard how stretched it already is. We recommend that Health Education England sets out how it will address concerns about the impact of the Green Paper’s proposals on the entire CAMHS workforce, including psychiatrist roles and community services, in its upcoming workforce strategy, which is due to be published in July.

We were concerned by the lack of detail about the training provided for designated senior leads for mental health in schools and the fact that the roles will be voluntary and unfunded. We recommend that the Government should set out an assessment of the feasibility of providing an additional responsibility payment for teachers who take on the designated senior lead role in schools. Further, we recommend that the Government develop contingency plans to ensure that the role could be delivered by qualified professionals. In those plans, they should also consider whether this should actually be the first course of action, rather than a contingency plan.

Overall, we were concerned that the health and education workforce may not have the capacity or capability to meet the extra demands of the proposals in the Green Paper. We recommend that the Government set out and publish plans to ensure that the existing workforce are not overburdened by the demands of the Green Paper. We were specifically concerned that the implementation of the four-week waiting time target for CAMHS referrals could have unintended consequences by making the threshold for accessing services even higher, and we recommend that adequate resource is made available to ensure that this does not happen.

We heard from witnesses that what is needed is a “seismic shift” in the approach to mental health for our young people. We need a system built around prevention, early intervention and personalisation. We need adequate resources and joined-up government to do everything possible to keep our children well and deliver a world-class service. On the evidence of the Green Paper, the Government’s strategy will deliver no more than a minor tremor, not the seismic shift that we want to see. This is a missed opportunity.

Luciana Berger: That was indeed a key part of our report. We had a mixed bag of evidence on social media. We heard from young people and from representatives of the Children’s and Young People’s Mental Health Coalition about this very specific issue. They told us about the opportunities for social media to provide peer support for young people, but also about the many challenges within social media. We said in our recommendation that we look forward to the forthcoming report from the chief medical officer on the impact of technology on children’s health. That will be very important for us to consider in future plans.

The Science and Technology Committee is also conducting an inquiry, and its report will be key. We look forward to the outcome of the work by the working group on social media and digital sector companies that is being conducted in a partnership between the Department of Health and Social Care and the Department for Digital, Culture, Media and Sport. All those pieces of work are incredibly important. As I said, we recommended that teaching on social media should be included in the compulsory PSHE curriculum that we want to be introduced in all schools. That will equip the next generation with the tools to contend with navigating the technological landscape.

Jeff Smith (Manchester, Withington) (Lab): I congratulate the two Committees on a very good piece of work, even though it makes very unhappy reading. My hon. Friend referred to the correlation between social disadvantage and mental health. Will she say a little more about how the Government’s Green Paper links to other Government initiatives such as the social mobility agenda?

Luciana Berger: I touched on that point in my introductory remarks. A report on social mobility entitled “Unlocking Talent, Fulfilling Potential” that was released by the Department for Education just 10 days after the release of the Green Paper on children’s mental health contained just one passing reference to the Green Paper. We asked the Minister about this and were very disappointed that he saw no connection or correlation between the two strategies. Ultimately, from the evidence we heard, this is a massive social justice issue for young people from the most disadvantaged and vulnerable backgrounds. We hope that the two strategies will now be joined up, because that has not been done so far.

Mr Philip Hollobone (Kettering) (Con): I congratulate the hon. Lady on her statement and the two Committees on their report. These joint Committee reports are a really good idea. Paragraph 50 says:

“We recommend that the Government commit to a full assessment of the current transition arrangements between child and adult mental health services.”
I particularly welcome that, because it seems to me and my constituents in Kettering that too many young people are falling through the gaps at 18 and not receiving the services they need as they enter adulthood.

Luciana Berger: That is a critical issue that was raised on a number of occasions. A cliff edge exists between the services that young people receive until 18 and what happens when they then try to access adult services. The services are very different. In one part of the country, where services go up to 25, this is working very successfully. That was a recommendation in “Future in mind”, a report published back in 2014. We were firmly of the opinion that the Government should actively address this situation and see it amended across the country.

Norman Lamb (North Norfolk) (LD): I congratulate the hon. Lady on her statement and the Committees on this excellent report, which I endorse. Does she agree—she touched on this issue—that the absence of a real focus on early years before children get to school, and the absence of any real, in-depth understanding of the impact of adverse experiences of trauma, abuse or neglect in early years, is a gaping hole? Does she agree that the Government need to go back to the drawing board to extend the scope of the Green Paper to really focus on this issue, to gain a better understanding of it?

Luciana Berger: I thank the right hon. Gentleman for his important contribution. One of our key recommendations was that the Government should publish the evidence review alongside the response to the report. They limited the scope of the Green Paper too early by restricting the terms of that evidence review. In fact, we heard in evidence that evolved during our inquiry that under-fives are completely absent from the Government’s plans, yet that is a time in a child’s life that determines their life chances and life outcomes. Clearly, this is very much a gaping hole that needs to be addressed.

Kate Green (Stretford and Urmston) (Lab): I congratulate my hon. Friend on her introduction of this excellent report. Desperate parents in my constituency report waiting months, sometimes over a year, for their children to receive assessments or to see mental health professionals. Her comments on workforce issues are therefore particularly welcome. One issue is the very high level of staff sickness due to stress. What comments has she to offer the House on how the wellbeing of staff should be part of the Government’s strategy?

Luciana Berger: I thank my hon. Friend for her important contribution. The chapter on the workforce was a key part of the report. The wellbeing of both the mental health workforce and the workforce in our schools and education sector should be addressed adequately. That is not happening at the moment. We heard in evidence that the mental health workforce, particularly for children, has the greatest vacancy rates. No doubt that is one of the reasons there is such a high absence rate due to sickness. We hope that Health Education England will heed our recommendation on the need to address an area that is massively wanting.

Bill Esterson (Sefton Central) (Lab): Prenatal exposure to alcohol causes permanent brain damage and is one of the contributory factors in mental ill health among children—and indeed into adult life as well. In a recent study, as many as 40% of women said that they may have drunk alcohol during pregnancy. May I, through my hon. Friend, urge the Government to carry out a prevalence study on exactly how many children are damaged in this way? There is also a need for much greater awareness. The chief medical officer’s advice is that those who are planning a pregnancy or are pregnant should not drink alcohol, but that advice is not widely known. May I, through my hon. Friend, urge the Government to make sure that far more is done to raise awareness of the damage done by this condition?

Luciana Berger: I thank my hon. Friend for his comments. No doubt the Government were listening to the very important points he has made. We did not address this in our report, but clearly issues around perinatal mental health and support for expectant mums are very important, including in the area that he mentions.

Liz Twist (Blaydon) (Lab): The report refers to the Government’s proposal for a four-week time limit for access to mental health services for children. My hon. Friend will know that access has been a huge issue. She talked about unintended consequences. What was the Committee’s view on what needs to be done to avoid those?

Luciana Berger: Officials in the Department of Health and Social Care told us that they expect that there will be some unintended consequences in seeking to achieve the four-week waiting time target if there are not adequate resources to make sure that the staff are in place to meet these young people’s needs. We know from the evidence we heard that right across the country there are already massive waiting times. In my own area, for example, 460 young people are waiting 24 weeks just for an assessment, let alone treatment. Unless we know that there will be more counsellors, psychiatrists and psychotherapists to support these young people, there is no way that the Government will be able to introduce a four-week waiting time standard without raising thresholds for young people to access those services. That is a key recommendation of our report that we want the Government to address.

Rachael Maskell (York Central) (Lab/Co-op): I, too, thank my hon. Friend for her statement and the work of the Committees in producing this really important report. Paragraph 81 goes to the heart of the matter: “The Government should consider in its plans whether the role being delivered by qualified professionals rather than teachers should be its first course of action rather than the contingency plan.”

Does she agree that, owing to the scale, seriousness and severity of mental health challenges in young people, the Government should build a service based around school but available out of school and staffed by mental health professionals?

Luciana Berger: I thank my hon. Friend for her comments. A key concern we heard from education professionals in written evidence was how those designated mental health leads will be able to do their job. It was not clear from the evidence we heard from the Minister for School Standards that adequate resources will be in place to equip those teachers with the skills they need to do that role. That is why we recommend that there
should be a specific payment and that it should be a senior role. That is also why we recommend that mental health professionals should not be a contingency; the first port of call should be those professionals in mental health, who have a fuller and wider training to be able to fulfil that role, rather than relying on teachers, who already have a massive burden.

Luciana Berger: I thank the hon. Lady for her comments. Some people are keen to paint this issue as being just to do with social media, which is why I sought to address in my remarks the fact that, in the view of many who sit on the Committees, the No. 1 concern is the academic stage 1 and 2 SATS, which we hear are a large cause of this problem up and down the country?

Luciana Berger: I thank the hon. Lady for her comments. While we did not talk about that explicitly in our report, we were able to have an informal discussion with young people from across the country, including young people being cared for by Place2Be, a mental health organisation that supports young people in schools. Young people said they were turning to illegal medication or prescription medication that they were getting through illegal means to make themselves feel better. That is clearly an issue for our young people. I know that my hon. Friend has raised that in the House, and I hope the Government will look specifically at it.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I would like to thank members of both Select Committees for this very forthright report. I was pleased to be part of the inquiry, and I would particularly like to thank the hon. Lady for bringing the report to the House. It is one of the most important reports for the next generation.

I want to raise two particular points. The first relates to workforce planning. As chair of the all-party parliamentary group on psychology and as a psychologist, I was very concerned by the evidence that educational psychology training places are being reduced and clinical psychology training places are currently inadequate, despite the fact that the Government’s delivery of the strategy relies very much on supervision from those key professionals. Secondly, we need to be targeting complex groups where more than one difficulty is present, such as the many children with autistic spectrum disorder who also suffer mental health problems comorbidly. Much more must be done on access to autism diagnosis alongside treatment and early intervention for mental health issues.

Luciana Berger: I thank the hon. Lady for her important contribution, which emphasised the need to focus on the workforce that the Government are expecting to deliver their Green Paper plans. We know that Health Education England is due to publish in July this year its
workforce strategy, and I sincerely hope that it has
listened to the points we heard in the Committee and
those that she just made about the massive gap that
exists in terms of psychologists and child psychiatrists
in the community. That is a critical issue.

On the hon. Lady’s point about comorbidities, there
is a gaping hole in the Government’s Green Paper on
the children who are the most vulnerable and need the
most support. There are references to children from
the most vulnerable backgrounds, but nothing in practice
about how that might be addressed. I hope that, in the
Government’s response, they will reflect on our
recommendations and seek to bring forward proposals
that target children who most need support.

Barbara Keeley (Worsley and Eccles South) (Lab): I
congratulate my hon. Friend on the way she has introduced
the report and the Select Committees on producing it.
She will know that YoungMinds and NHS Providers
have expressed concerns about the fact that increasingly
high eligibility thresholds for child and adolescent mental
health services mean that the mental ill health of children
and young people escalates to crisis point before a
referral. That was reinforced by the Care Quality
Commission’s thematic review, which recently reported
that GPs were telling children to pretend to be more ill
than they were, to ensure they got treatment. There is
much for the Government to respond to in the report,
but will she join me in calling on them to investigate
that urgently?

Luciana Berger: I thank my hon. Friend for her
important contribution. On the thresholds over which
children have to jump to access services in the first
place, I get emails almost every week from young people
or their parents or carers, sharing their experiences of
how long it has taken them to get access to services, if
they have even been able to get through the door at all.
Young people are having to attempt to take their lives
before they see a clinical professional. That is not acceptable,
and the Government need to address it now if they are
going to successfully implement their plans.

One of our recommendations was that within the
mental health investment standard introduced by the
Government to ensure that clinical commissioning groups
apportion a certain amount of funds to mental health,
there should be a specific ring fence for children and
young people’s mental health. We know from the
investigations and research that has been done that at
the moment, too many clinical commissioning groups
are diverting money away from young people’s mental
health to other parts of the NHS. It is under enormous
strain, but that money needs to be protected.

Point of Order

1.29 pm

Barbara Keeley (Worsley and Eccles South) (Lab): On a point of order, Mr Deputy Speaker. Further to my
urgent question on the learning disabilities mortality review on 8 May and my point of order later that day,
when questioned about the timing of the publication of
that review at 8 am on 4 May in the middle of the local
election results, the Care Minister, who is in her place,
said:

“It is an independent document and the University of Bristol
decided when it was going to be published. It was published on
Friday without permission from or any kind of communication
with the Department of Health and Social Care.”—[Official
Report, 8 May 2018, Vol. 640, c. 553.]

The Minister has now written to me to say that she
has been misinformed and that she now admits that
NHS England had discussed the timing of the publication
and had agreed the date. Also, in a statement yesterday,
the learning disabilities review team said:

“All communication about the report, prior to and subsequent
to its publication, was directed by NHS England, as was the date
of its publication.”

The Minister also admits that the Department of Health
and Social Care was notified about the publication by
NHS England.

The key point is that, in December 2016, the Secretary
of State told the House that he was asking the learning
disabilities mortality review programme to provide annual
reports to the Department of Health on its findings.
The Minister is now saying that the Department was
notified about the report only on an unofficial basis.
Why was such an important report, dated December
2017, not published until 2018? The Care Minister says
she was misinformed by her officials. Is the Secretary
of State in charge of this Department or is he not?

In the other place, the Health Minister said of the
publication of the review report:

“I agree with her that the timing was less than ideal...I agree it
was not done as it should have been”.—[Official Report, House of
Lords, 9 May 2018; Vol. 791, c. 207.]

We have not had an apology from a Health Minister on
this matter in this House, but it was this House that was
misinformed. Let us remember that the people most
affected by this mess are the family members of the over
1,300 people with learning disabilities whose early deaths
the Government should be taking more seriously.

Mr Deputy Speaker, have you been notified that
the Secretary of State wants to explain himself to the
House about this mess and to issue an apology to the
bereaved families, or does the Minister want to do so
now?

Mr Deputy Speaker (Sir Lindsay Hoyle): What I
would say is I do know a correction is printed today
from the Minister responsible, and it is on the record. I
do not know whether the Minister wishes to come in at
this stage. No? I have certainly not been given any
indication from the Secretary of State that they are
coming forward. What I would say is that it is on the
record, and if there needs to be a further correction, I
am sure that will be taken on board.
Banking Misconduct and the FCA

[Relevant documents: Oral evidence taken before the Treasury Committee on 31 October 2017, on the work of the Financial Conduct Authority, HC 475; Oral evidence taken before the Treasury Committee on 30 January 2018, on RBS’s Global Restructuring Group and its treatment of SMEs, HC 737; Written evidence received by the Treasury Committee on the work of the Financial Conduct Authority, HC 475; Written evidence received by the Treasury Committee on RBS’s Global Restructuring Group and its treatment of SMEs, HC 737; Skilled persons report into the treatment of customers in RBS’s Global Restructuring Group prepared for the FCA, reported to the House and published on 20 February 2018; Correspondence between the Chair of the Treasury Committee and (a) the Chief Executive of the Financial Conduct Authority and (b) the Chief Executive of Royal Bank of Scotland, relating to the report into the Royal Bank of Scotland Global Restructuring Group, reported to the House and published on 14 September, 17 October, 25 October, 31 October and 28 November 2017 and 17 January, 7 February, 16 February, 20 February, 27 February and 28 March 2018.]

I would like to start by paying tribute to the Backbench Business Committee for enabling this debate to take place and to the enthusiastic work of the all-party parliamentary group on fair business banking and finance, of which I am vice-chair and which is led by the hon. Member for Thirsk and Malton (Kevin Hollinrake). I would also like to take the opportunity to thank the hon. Members for Stirling (Stephen Kerr), for Edinburgh West (Christine Jardine), for Glasgow South West (Chris Stephens) and for Dumfries and Galloway (Mr Jack), who supported my application for this debate. I also thank those who have travelled down today to listen to the debate live from the Public Gallery.

This debate follows on from the one led by my hon. Friend the Member for Norwich South (Clive Lewis) in January. It demonstrates what an important issue this is for not only our individual constituents but the whole economy. For many, the foundation of the problem is illustrated by bank closures. Indeed, in my constituency, bank closures and the disappointing remission of free-to-use ATM machines are breaking down trust in the banking industry. Ensuring that consumers have access to finance is fundamental to the ethos of community banking.

Today’s debate rightly shifts attention to financial misconduct and considers the section 166 report, but it also stands as a timely reminder to the entire banking sector that the consumer must always be at the centre of its operations. Access to finance is so important to local businesses in East Lothian and across the UK. Whether wronged by commercial lending policies not fit for purpose or hit disproportionality by bank closures, businesses are being badly let down by the industry.

Regarding financial misconduct, a lot has happened since January, and we are not simply here to cover an old story.

Kate Green (Stretford and Urmston) (Lab): I congratulate my hon. Friend on opening this important debate. Does he agree that one issue is the continuing refusal of many in the banking sector to accept their responsibility and their determined deflection of blame back to their customers?

Nigel and Julie Morgan, who are here with us today listening to the debate, have been adversely affected by this issue for years. It is that which we have to bear in mind.

I am grateful for the hon. Lady’s intervention. It is right to say that, behind every one of these statistics, there are individuals, families, businesses and employees—who have their own families—who have suffered as a result of all this. I will come on to that in a moment.

The release of the section 166 report into Royal Bank of Scotland’s Global Restructuring Group not only underlined the toxic culture that existed in the GRG but, critically, identified the systemic failures that allowed such conduct to thrive.

Today I intend to focus on three key points. The first is dispute resolution, which has been covered extensively, and the all-party parliamentary group will deliver a report on it in the near future. Secondly, I would like to look at the associated industries involved in this scandal. Thirdly, there is the need for a full public inquiry into the treatment of businesses by financial institutions.

As the debate progresses, I would ask hon. Members to keep at the forefront of their minds the very simple notion of the balance of power and, indeed, the abuse of power, because that is ultimately what we are addressing here, not just with RBS but across the entire ecosystem of commercial lending. We have only to look at the HBOS Reading fraud to understand how corrupt the system can be and how that can thrive if it goes unchecked year after year.

I am extremely grateful to the hon. Gentleman for giving way. Does he agree that it is not just businesses that suffer? It is also families and people’s mental health.

Martin Whitfield: I am grateful for the hon. Lady’s intervention. It is right to say that, behind every one of these statistics, there are individuals, families, businesses and employees—who have their own families—who have suffered as a result of all this. I will come on to that in a moment.

Today I intend to focus on three key points. The first is dispute resolution, which has been covered extensively, and the all-party parliamentary group will deliver a report on it in the near future. Secondly, I would like to look at the associated industries involved in this scandal. Thirdly, there is the need for a full public inquiry into the treatment of businesses by financial institutions.

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Kate Green: My hon. Friend makes a very important point. There is genuine anger about banking businesses not taking responsibility for their actions and not looking to rectify the damage that was done in
the past. That is what is fundamentally undermining the confidence that people and businesses have in the banking sector.

Damian Green (Ashford) (Con): The hon. Gentleman will obviously concentrate most of the time on activities inside banks themselves. Will he also touch on one of the issues raised by my constituents, who, like many others, have been affected by this—the activities of insolvency practitioners? There seem to be deep problems there as well.

Martin Whitfield: I am grateful for the right hon. Gentleman’s intervention. I am just moving on to talk about the fact that although there are very legitimate objectives at the turnaround units that many banks have operated, they are so easily manipulated to carry out systematic asset stripping of small and medium-sized enterprises. Indeed, it is the surveyors, insolvency practitioners, turnaround consultants, Law of Property Act receivers, lawyers and accountants that support financial institutions and enable and facilitate the systematic abuse that was so clearly laid bare in the section 166 report who must also be held to account for these failings.

Norman Lamb (North Norfolk) (LD): The hon. Gentleman mentioned the section 166 report. I understand that the second phase has now been brought in-house into the Financial Conduct Authority. Promontory has ended its role. There is a concern on the part of many people that there will be a lack of transparency. There is a concern about a further possible cover-up of really serious wrongdoing.

Martin Whitfield: Again, I am really grateful for that insightful interjection. There clearly is a concern about transparency. Beyond the single events—tragic as many of these are—the overall story and picture that people are taking away about our banking industry is its being heavily influenced by hidden-door decisions, by delayed reports and by people, frankly, trying to protect themselves rather than shining a light on what has been happening to try to make the system better for the future.

Here we are again, talking about past misconduct. However, this is the catch, and it was mentioned early on: for business owners across the country who have lost their livelihoods, their homes, their marriages and, quite often, their health, this is not an issue of past misconduct; it greets them every single day when they wake up and haunts them at night when they go to sleep.

The impact of this scandal has been so profoundly damaging that people have taken the appalling decision to end their lives because they cannot face things any more. It is the responsibility of this House and of the financial services—it is genuinely the responsibility of everyone—to ensure that there are answers to these questions so that, hopefully, and at last, some people and some families can find some peace.

Nick Herbert (Arundel and South Downs) (Con): The hon. Gentleman rightly draws attention to the appalling stress that has been placed on individuals. That has happened in my constituency due to RBS and the Britannia building society acting entirely unfairly towards my constituents. Apart from the behaviour of the banks, is there not an issue about the ability of such individuals to obtain redress, and the failure of our institutions—such as the FCA and the ombudsman—to be able to offer satisfactory relief to individuals so badly affected?

Martin Whitfield: Again, that is an excellent intervention. It is almost as if planned, because I am about to turn to the question of dispute resolution.

The FCA’s recent consultation into extending the Financial Ombudsman Service clearly sets out the complex landscape of commercial disputes, but it also identifies what it can and cannot do as a regulator to bridge this gap. The all-party group is very clear that it cannot possibly support the proposed extension of the Financial Ombudsman Service as a stand-alone solution to problems that have beset the business community for so long. Even with extended powers, it will not be sufficient to cover complex cases or those that sit outside the regulatory perimeters. The FCA’s consultation makes it very clear that it has limited powers and that a complete solution must include action by the Government and this Parliament. It is not an either/or; we need both.

David Hanson (Delyn) (Lab): This is not a partisan point, but one about the current and previous Governments: schemes executed by the Government, such as the enterprise finance guarantee scheme, have been misused by RBS, but RBS has been retained under some element of public ownership, if not control, so will my hon. Friend call on the Government to look at the schemes they have operated and at their performance in helping to support colleagues and constituents such as mine?

Martin Whitfield: Again, I am grateful for that intervention. Clearly, at the end of the day, this goes to the question of a public examination of what has happened and where things have gone wrong. RBS is obviously still held by the public through the shares we bought when we bailed it out, but even without that, there is still a responsibility to make sure that the banking and financial sectors apply rules and laws equitably, fairly and transparently, and do not seek to put down small and medium-sized businesses to their own benefit.

Joanna Cherry (Edinburgh South West) (SNP): I endorse what the hon. Gentleman is saying because there is a real issue about redress. The lives of my constituents Mr and Mrs Neave have been ruined by this UK banking episode. I have seen their reams of correspondence with the FCA and the ombudsman, yet all these organisations ever seem to say is that there is no case to answer. People then turn to their MPs, but there is nothing we can do. Is not the time ripe for the UK Government to ensure redress, perhaps by way of a tribunal process or something like that?

Martin Whitfield: Absolutely. On dispute resolution, the introduction of a tribunal would be an important and essential step forward, giving access to people and businesses that at the moment struggle to gain access to the courts.

Bambos Charalambous (Enfield, Southgate) (Lab): My constituent Mr Kashourides, who has no confidence in the FCA or the ombudsman, has himself brought legal action against RBS, but he has been asked by a judge to pay £150,000 as a surety for costs, because the
lawyers that RBS employs are very expensive. Does my hon. Friend agree that a tribunal would be the best way forward?

Martin Whitfield: Absolutely. The cost of bringing a case to get rectification is so important.

The FCA has repeatedly said that it does not have the powers to deal with commercial lending and that it is up to Parliament to decide if it wants those powers to be extended. However, in various statements, the Treasury has repeatedly stated that this is a matter for the FCA and that if the FCA feels it needs more powers, it should ask for them. All that is happening is that this hot potato is being kicked between two different areas, and we are not getting answers that, in reality, are satisfactory to anyone. I would appreciate clarification from the FCA on the parameters of what it needs in order for it to ask for more powers. At the moment, we are seeing the widespread and systematic destruction of British businesses, which in my mind certainly seems to qualify as a reason to request additional powers.

The lack of mechanisms for redress and of action in general has severely undermined public confidence in the integrity of our system, and it is time that we tackled this head-on. We are therefore calling today for a full public inquiry into the ecosystem of commercial lending, and particularly into the treatment of businesses in financial distress. This cross-departmental issue covers both the Department for Business, Energy and Industrial Strategy and the Treasury, so it is too wide-reaching to come under the remit of just one Select Committee in Parliament.

I will briefly turn to the role of professional advisers and the wider issue of commercial funding. I welcome the focus that section 166 has placed on the inherent conflict of interest that exists between financial institutions, surveyors, lawyers and insolvency practitioners. For too long, we have focused solely on financial institutions, but not on the professionals that support them, often in the form of secondments from within the walls of the very financial institutions themselves. Frankly, it beggars belief that this is an accepted industry practice. The mechanisms involved in taking control of businesses and their assets are operated via LPA receivers and insolvency practitioners.

Alex Sobel (Leeds North West) (Lab/Co-op): Does my hon. Friend agree that these professional practitioners are quite often working hand in glove with the banks? Does he also agree that the fees, particularly in insolvency practice, are very high, which, on top of the issue with the banks, can push businesses under?

Martin Whitfield: I am grateful to my hon. Friend for his intervention, and I would draw attention to the very basic case of those owning a business that has constantly paid back its loans on time and maintained contact with the bank, who may suddenly, through a simple slip of a pen in the valuation or revaluation of the business by part of the bank’s organisation, find themselves in breach of their loans—and they lose their business. That is not a question for the shareholders or for the directors; with a movement of a pen, their business becomes the bank’s.

RBS has been at pains to point out that the Promontory report did not find any evidence of deliberate undervaluations, but in any event the report could not in many cases find any evidence about how valuations were conducted, and there is a suggestion that they were simply made up. These valuations could then be used to appoint an insolvency practitioner, subject to huge costs, and a cosy relationship between a surveyor, an insolvency practitioner and a bank suddenly means that another family business has been lost.

Jo Stevens (Cardiff Central) (Lab): My constituent Kashif Shabir, whom I have spoken about in several debates on this issue, has been the victim of exactly that, with Lloyds bank and Alder King surveyors in Bristol, resulting in the loss of his £10 million business. Does my hon. Friend agree with me that the bosses of both those organisations, Mr Horta-Osório and Mr Martyn Jones, should now proactively take steps to offer—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Lady must sit down. I am really sorry to interrupt the hon. Lady, who I appreciate is making a very important point. I must point out, however, that the hon. Member for East Lothian (Martin Whitfield), who is moving the motion, is supposed to take about 15 minutes. He has a lot to say that is of importance, and he has been very generous in allowing interventions, but hon. Members must not think I have not noticed that the people who have intervened will then go away, while the people who have indicated that they wish to take part in the debate will have only four minutes and may need to stay in the Chamber until the end of the debate, which is patently unfair. I cannot allow a long intervention. It is perfectly proper for the hon. Lady to ask a quick question, but it is not in order for hon. Members to make an intervention in lieu of a speech, thus preventing other Members from making a speech. I am trying to ensure fairness, and it is really quite difficult to do so. As I had not previously warned hon. Members, I will allow the hon. Lady to finish her intervention—I realise that she has something important to say—and I will allow the hon. Gentleman to respond to it and to finish his speech. I hope that everyone has got the picture: this is the only way to try to be fair to everyone.

Jo Stevens: I apologise, Madam Deputy Speaker. Does my hon. Friend agree that the banks and the surveyors should proactively take steps now to offer redress to my constituent and to many other constituents of Members on both sides of the House?

Martin Whitfield: Absolutely. I agree with that proposal, because the banks and the surveyors have professional responsibilities to their clients and those they serve, and such responsibilities apply equally by omission as by action.

To conclude, from its early inception, banking was engineered to become a focal hub of community engagement. There was a societal bond of trust, which was represented by the strong institutions on our high streets. In recent years, however, this has become synonymous with mistrust and deceit. Consumers right across the country have been let down not just by a few specific banks, but by an industry that has developed and become polluted by a toxic culture of misconduct.
Within the scope of the ombudsmen’s remit, and by that Mr Topping’s business was too large to come enclosed a leaflet to that effect. RBS knew, however, through the Financial Ombudsmen Service, and helpfully director of operations suggested that he seek redress unjust, in the bank’s final letter to Mr Topping, RBS’s institutions, which is a complete mismatch.

Places small businesses against international financial option is to go to the courts. That is too expensive and businesses with more than 10 employees, as their only this scandal cannot apply. There is a clear problem for institutions such as the “specialised lending service”, and must also look beyond RBS GR G, and into its precursor bodies such as the “skilled persons reports . They therefore outside the “relevant period” that was set out of hand because the issue occurred in 1998, and therefore outside the “relevant period” that was set arbitrarily at between 2008 and 2013. Whatever form of redress the Government, regulators or banks come up with, they must consider events before 2008 and the narrow scope of the FCAs skilled persons reports. They must also look beyond RBS GRG, and into its precursor bodies such as the “specialised lending service”, and any other sham department, in whatever bank, that was engaged in systematic and organised fraudulent asset stripping.

Secondly, it is clear that the Financial Ombudsmen Service lacks teeth as a method of redress, given that in most instances it can look only at cases involving microbusinesses with 10 employees or fewer. With claims capped at £150,000, thousands of SMEs affected by this scandal cannot apply. There is a clear problem for businesses with more than 10 employees, as their only option is to go to the courts. That is too expensive and places small businesses against international financial institutions, which is a complete mismatch.

In a move that would be laughable if it were not so unjust, in the bank’s final letter to Mr Topping, RBS’s director of operations suggested that he seek redress through the Financial Ombudsmen Service, and helpfully enclosed a leaflet to that effect. RBS knew, however, that Mr Topping’s business was too large to come within the scope of the ombudsmen’s remit, and by suggestion in a move it was either incompetent in its advice or it was simply mocking him—I am not sure which is worse.

Proposals for enlarging the remit of the ombudsman are not the answer—as I have said, it lacks teeth—and there is a gap in the current structure that must be filled. It is necessary to have a completely independent system or tribunal that sits outside the regulatory structure and has sufficient powers and knowledge to deal with complex financial disputes that include contracts, insolvency and all associated issues. Such a system must be able to address the backlog of legacy cases and ensure that those who have been mistreated are given an outlet through which their grievances can be heard, and suitable redress awarded. Any system will need to address the statute of limitations so that victims are not barred from taking action.

Finally, as I have said, these issues are no longer just about RBS or even the banks themselves, and it is clear that we have had a systemic failure. This issue has become too wide ranging for either the Treasury, the Business, Energy and Industrial Strategy Committee, or even the excellent all-party group on fair business banking and finance.

There is clearly no easy solution to the mess we are in—it is hard to find a solution to get the redress that so many victims deserve, to rebuild crushed livelihoods, or to restore public faith in the system. There are, however, three steps to take, each of which might help in part. First, we need some form of acknowledgement that what my constituent, Mr Topping, has suffered is an outrage and an injustice. His complaint was dismissed out of hand because the issue occurred in 1998, and therefore outside the “relevant period” that was set arbitrarily at between 2008 and 2013. Whatever form of redress the Government, regulators or banks come up with, they must consider events before 2008 and the narrow scope of the FCAs skilled persons reports. They must also look beyond RBS GRG, and into its precursor bodies such as the “specialised lending service”, and any other sham department, in whatever bank, that was engaged in systematic and organised fraudulent asset stripping.

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May 2011, the bank told my constituents that they were in default. That resulted in a complaint to the bank, which found in favour of my constituents. However, the bank continued to pursue them, asking them to sell the property.

My constituents made a further complaint, and on 19 January 2012 they received a response from the bank’s complaints department, which said that it was nothing to do with anything they had done, but that:

“The bank needs to rebalance its exposure in the property area. We have twice as much property funding as any of our competitors and this needs to be managed down to more normal levels.”

It was nothing to do with anything my constituents had done wrong; it was what the bank had done wrong, yet my constituents were forced to pay for it. While that was going on, the bank tried to close one of my constituents’ bank accounts, and from then on they were harried into selling the property. It was put on the market for £700,000, but because they were under pressure, they finally had to sell it for £585,000. They were never given the opportunity to live in that property and plan ahead with any confidence.

My constituents finally went to the Financial Ombudsman and requested a disclosure of documents. They discovered that they were being dealt with by none other than the Royal Bank of Scotland Global Restructuring Group, despite having taken out the original loan with NatWest. GRG convinced the ombudsman not to investigate the case and to leave it to the GRG disputes resolution process. When my constituents asked how the involvement of GRG came about, they were told that it was due to the involvement of a specialist relationship manager. GRG claims that the account was never transferred to it and states that the SRM consulted GRG during the relevant period of 2008 to 2013. Therefore, GRG did not recognise my constituents, and they were not part of the review process. My constituents were never informed of any of this; it came to light because they complained and asked for documents to be disclosed by the ombudsman. GRG also convinced the ombudsman not to look at any documents going back further than 2013.

NatWest is part of the RBS group, but it operates under a separate licence. How is it possible for two separate banking organisations to share customers’ information in this way? Is that a matter of concern to the FCA? Are NatWest and RBS GRG at fault for not keeping my constituents informed? The bank made the initial error when it forced my constituents to take a loan for one year, then two years, then no years—it simply failed to renew it—and then foreclosed on my constituents because it was overexposed in the property market. My constituents approached the FCA, but they do not know where their case now is. The FCA has to do an inquiry into this matter. We have to get to the bottom of it on behalf of people who are just being bullied by the banks.

2 pm

Mr Alister Jack (Dumfries and Galloway) (Con): I thank the Backbench Business Committee for granting this very important debate and I thank the all-party group on fair business banking for securing it. There are literally thousands of victims of this banking scandal. They are victims not of banks, but of bankers and their advisers who colluded with them—make no mistake about it.

This has not been a golden era for British banking and neither has the FCA covered itself in glory. It has presided over ad hoc redress schemes that are simply not fit for purpose. It has allowed banks to be judge, jury and executioner. It could learn from the best British regulator, the Takeover Panel. If one goes to the Takeover Panel for a decision on a Thursday, one receives it on a Friday. The FCA has allowed the banks to set up their own redress schemes, which have gone on too slowly for too long and have been too small in terms of financial retribution.

Victims have been fighting this situation for years. Their lives have been destroyed: it is not just livelihoods, some have lost or taken their lives. Families have been torn apart and businesses have been lost. Frankly, they have been the victim of banking piracy. I said that in the Treasury Committee yesterday and I say it again today. If the other banks have a pile six inches high, RBS-GRG has a mountain. It set up a scheme of £400 million. Some £100 million of that has been allocated to costs, leaving only £300 million to pay people back. It has paid out £150 million so far, but that does not even scratch the surface. GRG was a profit centre. In 2011, it made £1.2 billion in profit. Considering the profits it has made by knocking on people’s doors and taking their businesses away from them, £300 million is just scratching the surface. It is paltry and pathetic.

The fact that these crimes were committed is not something I am imagining. Excellent reports are available from Tomlinson and Promontory, as has been discussed. We knew crimes had been committed, but what the victims have not seen is any form of justice. I do not just mean financial justice. I mean prosecutions. For banking to clean up its act and for this not to happen again in the future there need to be more prosecutions.

In the first debate secured by the all-party group on fair business banking, I spoke of my own experience. I know at first hand how GRG behaved. I was not a victim. It came twice to try to take a very good asset away from us. The business was making a profit in each of the months when it came and it has made a profit in every month since. That did not, however, stop it trying to come up with artificial breach covenants and other trumped up reasons to try to create fees. I understand that people were under pressure. If they were not in a robust position after the financial downturn, they were, I am afraid, taken to the cleaners.

I will conclude by saying that the worst offender was RBS GRG. The perception is still there that it cannot be trusted to do the right thing. Proper redress for the victims would be a very good place to start.

2.4 pm

Norman Lamb (North Norfolk) (LD): It is a pleasure to follow the hon. Member for Dumfries and Galloway (Mr Jack) and I agree with every word he said. I congratulate the hon. Member for East Lothian (Martin Whitfield) on securing the debate and I thank the Backbench Business Committee for granting it.

The case for both an independent tribunal and a full public inquiry is overwhelming: the destruction of businesses, the destruction of lives, the ruin it has
caused for families and the appalling treatment of whistleblowers. Brave people chose to speak out, risking everything. My constituent Mark Wright has seen his career and his health destroyed. He is a brave man still left waiting. What I would say to the Minister is this: this issue unites the House. There is complete agreement on both sides of the House on the need for something to happen. We have been debating this matter for quite some time and I do not really feel any sense of progress being made. I am afraid to say that I have lost confidence in the FCA’s ability to get to the bottom of the extreme wrongdoing that we have witnessed across our banking sector. This issue causes so much anger among people across our country. There is a sense that the elite got away with it without any consequences. I therefore say to the Minister: take seriously the sentiment on both sides of the House and call a public inquiry without further delay.

I want to raise an additional issue, which has the potential for further scandal: the risk that victims of the shareholder action against RBS and victims of GRG could face further loss as a result of the behaviour claims management companies and the failure of regulation and the policing of those regulations by the Ministry of Justice. The regulations were brought in by the Compensation Act 2006. Any claims management company that operates as a business needs to be regulated, yet the claims management company that worked on the shareholders’ action has never been regulated at all. This has been brought into sharp focus because of the action in that case. There has been a settlement of £200 million, but victims are still waiting for most of the money to be distributed. There are concerns about a £20 million bill from a firm called Cazesafety linked to a certain Gerard Walsh, who has been involved from the very start. He has a track record of personal and business insolvency and has faced allegations of fraud, yet when concerns are raised with the MOJ it seems satisfied by assurances given by a lawyer associated with Gerard Walsh that everything is fine and that regulation is not relevant in this case. However, lawyers have advised the action group company that it comes within the regulatory remit and yet the MOJ does nothing.

I am really concerned about a double jeopardy here: people who have already lost through the appalling behaviour of RBS are now at risk of losing again with the settlement money leaking out all over the place, potentially improperly, and the victims left still waiting. The Ministry of Justice is doing nothing to get to grips with this. These are Government regulations passed through this House. The MOJ—I urge the Minister to have words with his ministerial colleagues—needs to get a grip. There are criminal sanctions where there is a failure to properly register in the regulation system. These people, if they are taking money out of the settlement pot away from innocent victims, need to be pursued. I do not know what the solution is and I do not know the full facts of the case, but I absolutely know that it needs to be investigated as a matter of urgency.

This is a long-running scandal. So many people have lost out so badly that we will only restore confidence in the banking system and in the system of regulation if we have a full public inquiry. The Government need to order it now.

2.9 pm

Neil O’Brien (Harborough) (Con): I congratulate the hon. Member for East Lothian (Martin Whitfield) and the all-party group on fair business banking on securing the debate. I follow very powerful speeches by the right hon. Member for North Norfolk (Norman Lamb) and my hon. Friend the Member for Dumfries and Galloway (Mr Jack). A constituent of mine, Mark Nicholson, had an experience with HSBC that raises exactly the issue as many of the RBS cases. He has been in dispute with that bank for eight long, stressful years. His business initially had a cash-flow problem, through no fault of his, and the bank turned his secured loan first into an overdraft and then offered him a nine-year loan. However, despite complying with every single condition, the promised nine-year loan was never forthcoming and he was instead put on a treadmill and offered a series of short, one-year loans at increasingly high interest rates, with increasingly high charges.

In 2014, the Financial Ombudsman Service ruled against HSBC, telling it to restructure the loan and to repay all the charges. Instead of complying with the spirit of the ruling, the bank seized on a lack of detail in it to offer my constituent an onerous loan. After a second ruling, he is still in dispute. The bank is refusing to share the details of how it has calculated the demands that it is making of him, and at the end of this month he faces a court hearing in which he could lose the house that he has lived in for nearly 30 years. It is exactly as my right hon. Friend the Member for Loughborough (Nicky Morgan) said of RBS: it is a case of the pursuit of profits through made-up fees, high interest rates and the attempt to acquire equity and property. I have written to John Flint, the chief executive of HSBC, to support my constituent in this matter, and I plead with him to think again about the way in which his bank is treating my constituent.

The theme of today’s debate is the other institutions that surround this important problem. Although the Financial Ombudsman Service has done good work and has helped some people, we must ask two questions: first, does it have the power and authority to make large financial institutions fear it and comply with its rulings? For my constituent and others, we can see that that is not the case. Secondly, does it have the technical capacity to cope with some of the more complex cases that it faces? Another constituent is involved in a technical insurance case, and the Financial Ombudsman Service has not been able to do what we need it to do, which is to level the playing field between large financial institutions with a lot of firepower and ordinary members of the public.

Let me quote some of the things that Channel 4’s “Dispatches” discovered when it did an undercover investigation into what was going on in the Financial Ombudsman Service. It talked to trainers and people working within the organisation. Here are some quotes from what it heard:

“Training was not adequate. We rushed through complicated financial issues and processes. I often didn’t know what I was doing.”

“I’m not proud to admit it but I’ve done it myself—just taken a chance and just slung stuff through, with any old decision.”

“For more complex cases, the right decision isn’t always reached. Legitimate claims are being missed.”

“even now I look at an investment case and I don’t know what to ask for.”
“Sometimes I’ve not even heard of the products. I have to Google what it is first.”

“11,000 cases fell into a black hole. Two years later we find out they’ve not been looked at and we had to work our way through them all.”

“Some post was two years old. There were cases saying I am going to lose my house.” That is simply not good enough. We need to replace the FOS with something that is fit for purpose, because my constituent also faces losing his house.

It is worth noting that over the last eight years we have made a lot of progress on reforming the financial system. We have introduced measures to increase competition and to encourage challenger banks. We have seen the ring-fencing of retail banking from investment banking. We have replaced the failed tripartite system and ended “too big to fail”. We have higher capital requirements, the bank levy and the tougher claw-back regime. A lot has been done, but a lot more needs to be done. The next step now should be to replace the Financial Ombudsman Service, which could do more to help our constituents, with something that has proper expertise and the ability to make large financial institutions, which so often behave in a cruel, high-handed way, frightened of it and get justice for our constituents.

2.14 pm

Kevin Brennan (Cardiff West) (Lab): This is an important debate and I congratulate all the hon. Members who have contributed to it so far. Banks occupy a very special and important position in our economy and society. Without them, the economy could not function efficiently. However, they also operate in such a way that they borrow short and lend long, and they always have done. As a result, banks hold a degree of responsibility and trust when they take people’s moneys into their care. I am afraid that over the past few decades, as other hon. Members have described, a culture has been allowed to develop under Governments of different colours to allow banks to basically follow the principle that “Greed is good,” as so well elucidated in 1980s film “Wall Street”. Ultimately, everything that has been described today—the disasters that have been brought upon our constituents—has been born out of the greed of bankers operating not in the interests of our constituents, but to line their own pockets.

Dr David Drew (Stroud) (Lab/Co-op): Does my hon. Friend accept that the situation is 10 times worse when the bank no longer exists? I have constituents who are still trying to work through HBOS, which is now part of Lloyds, which has washed its hands of it.

Kevin Brennan: I absolutely accept that; it is completely the case. I want to mention briefly some of my constituents who have been affected by what has been described today and by other practices that should be incorporated in the public inquiry that other hon. Members have called for. By the way, RBS has today been fined $4.9 billion by the American authorities for its activities when it was expecting to pay something like $12 billion, so if there is concern in the Treasury about the cost of a public inquiry, we have $7.1 billion available, given the assumption that few made by RBS, that could be levied on just one of the banks that we are talking about today to cover the cost of any public inquiry. I hope that the Treasury boffins have taken notice of that statistic.

My constituent Mike McGrath was also a victim of the kind of asset stripping we have heard about today. He can show quite clearly that Lloyds bank lied to the Financial Ombudsman Service to obtain a favourable judgment for itself and so that my constituents’ complaint was not upheld. The decision arrived at by the Financial Ombudsman Service was based on the probability of the evidence, but that evidence was incomplete, inconclusive or contradictory because Lloyds bank did not provide all the evidence that it should have done to the Financial Ombudsman Service. There was detrimental evidence that would have allowed the adjudicator to find in favour of my constituent—as the law should require them to do. Customers should have the right to complain to the Financial Ombudsman Service and get it to adjudicate quickly, fairly and at little cost. That is why it exists, but Lloyds bank, and I believe others have done the same, has concealed detrimental evidence to prevent that from happening. This left my constituent with the only option of expensive court litigation, which he could little afford, having been ruined and bankrupted by his own bank.

This allowed Lloyds Wholesale Banking Recoveries in Bristol, with the aid of their appointed Law of Property Act receiver, Alder King, which we heard about earlier from my hon. Friend the Member for Cardiff Central (Jo Stevens), to strip the customer’s assets, knowing that the customer had in fact given the true account of the facts to the FOS and would have had their complaint upheld had Lloyds bank been truthful. My constituent can show that this has happened on more than one occasion. He believes not only that there should be a public inquiry, but that the Treasury Committee should look at the wider issues that have been raised in this debate and by this scandal for all the people who have been affected by different banks’ actions when the banks were bailed out by the Government.

Banks are still engaged in other practices that should be part of any inquiry. That includes what a constituent, Mr Iqbal Hassan, came to see me about last week—the way that a bank can suddenly close down their customers’ bank accounts without any notice. In his case, he simply got a text message saying that there were insufficient funds in his bank account and that it had been frozen. He then showed me the letter of apology he received from the bank. The letter referred absolutely no explanation of why the bank—it was Barclays bank in this case—had shut down his bank account. In fact, it said that it did not know why it had happened, but then, a day after that, it closed it completely. Many practices of that kind are going on.

There is also the negligence of banks in relation to customers being defrauded, often over the telephone. They rely on the concept of gross negligence on the part of their customers, which is completely unacceptable. A constituent—I will not name them here, because it is very difficult when this happens—at first lost over £40,000 as a result of this kind of fraud. Fortunately, through the help that I was able to give and through the help of people like Richard Emery—I commend him for his work on this kind of banking fraud—we were able to recover most of my constituent’s money. However, there are many similar cases in which Members’ constituents are not being refunded money that has been transferred from their accounts to accounts in other banks, which are taking no responsibility, and diverting money to criminals by holding their accounts and paying out money that has been stolen from our constituents.
We should have a public inquiry, and I urge the Minister to talk to his Treasury Minister colleagues about it. I know that he may not be able to make an announcement during today’s debate, but I hope he will go away and talk to his colleagues about the requirement for a proper, fully empowered public inquiry to investigate this scandal.

2.20 pm

Giles Watling (Clacton) (Con): It is an honour to follow the hon. Member for Cardiff West (Kevin Brennan). Let me thank the hon. Member for East Lothian (Martin Whitfield) and my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), along with all the party parliamentary group on fair business banking and finance, for securing the debate. This is an incredibly significant issue. As we have heard this afternoon, it has affected many of our constituents, and one of my own, Julia Barrington-Fuller, has informed me that she has been caught up in this terrible episode.

I am here to support a motion that will ensure that if it all goes wrong, such victims of banking malpractice, who, by definition, tend to have limited financial resources, can have sufficient access to justice. I am also here to support a motion that will help us to learn the necessary lessons from this painful episode, while beefing up and altering the powers of the Financial Conduct Authority, which is not up to scratch. Above all, I am here to support a motion that will increase confidence in our financial system, in which small and medium-sized enterprises currently seem to have little faith, as they are reluctant to borrow from financial institutions. That, in turn, has a negative impact on productivity and growth, and anything that has a detrimental impact on the Great British economy is simply unacceptable.

It is clear to me that passing the motion would go a long way to deliver change by creating an environment in which some of our financial institutions are no longer able to abuse hard-working business owners. That is, unfortunately, what we saw in Ms Barrington-Fuller’s case. There have been clear examples of mis-selling during her dealings with the Royal Bank of Scotland. For example, she asked RBS for a fixed-rate loan in 2008, but was instead given an agreement that included swap protection for 10 years. That meant that her business was now fully exposed to interest-rate variance, leaving it with crippling monthly swap payments of £7,000 per quarter, on top of her loan repayments. Moreover, the continuation of the loan agreement was dependent on an RBS renewal after five years, which was then refused. As a result the swap agreement was broken, and the penalties for breaking that agreement were levied—penalties that Ms Barrington-Fuller was told did not exist when she took out her loan.

Those penalties and charges forced Julia Barrington-Fuller and her brothers to close their family business, while RBS is continuing to seek a repayment of £250,000, along with any money outstanding on the loan and six years’ interest. In her words, “these people are deceiving small businesses and ruining lives for their own personal gain.”

Jeremy Lefroy (Stafford) (Con): Does my hon. Friend agree that poor lending practices and the selling of interest-rate swaps, combined with no examination whatsoever—absolutely no redress apart from, perhaps, repayment of the cost of these swaps—has forced some of our constituents, such as my constituent Mr Steve Gray, to close their businesses?

Giles Watling: I do agree, and that is why I am supporting the motion today. Julia Barrington-Fuller requested an agreement, but that was not the agreement that she finally received. We must have an inquiry into this misconduct; we must ensure that there is sufficient compensation for victims; and we must ensure that the Financial Conduct Authority is truly fit for purpose. We can only rebuild trust in our financial services by ensuring that institutions are held responsible in situations like the one I have described.

We hear too often about how our banks have been caught up in yet another scandal, the victims of which are not the bankers themselves but the hard-working people who rely on them to support their aspirations. People like Julia Barrington-Fuller and her brothers, who ran a successful business, are now struggling in circumstances not of their making. It is so disappointing that we are constantly revisiting this situation, especially in the case of RBS. This is a bank that the taxpayers paid £45 billion to bail out, and which now appears to be seeking to exploit those very taxpayers. It seems that the banks have learned nothing from the 2008 crash, an episode that Simon Jack of the BBC described this morning as “the biggest banking debacle in UK corporate history.” Indeed it was. It would appear that, if anything, all that the banks have done is move from a period of selling risky products to a period of mis-selling. Banks cannot be allowed to conduct their business in that way.

What is, perhaps, more ironic is that the loan that Julia Barrington-Fuller and her brothers took out was taken out as a matter of convenience rather than necessity. I understand that they did not need it as such. However, because of RBS misconduct, it was not long before they were in serious financial trouble, which led to their being put into RBS’s Global Restructuring Group, GRG, as we all know, was supposedly there to deal with firms that were in financial trouble, but there was no attempt to rescue the firms once they were put there. Instead, it is alleged, its focus was on liquidating companies rather than supporting them through further prudent lending. That is not good for business, and not good for the country as a whole.

2.26 pm

Chris Elmore (Ogmore) (Lab): It is a pleasure to follow the hon. Member for Clacton (Giles Watling). A constituent of mine was affected by this issue 10 years ago, and I agree with the hon. Gentleman that the banks have learnt nothing in that time. It has taken more than a decade for some people to obtain any sort of redress, and that is clearly wrong.

I congratulate my hon. Friend the Member for East Lothian (Martin Whitfield) on securing the debate. It is important that we are now debating the idea of redress and the misconduct of other organisations linked to the banking sector. In the time that I have, I shall focus on the failures of regulatory bodies and how their inaction has thus far failed victims of that misconduct. One of those victims is my constituent Mr Alun Richards, a customer of Lloyds Banking Group. Although
much publicity has been given to the actions of RBS, Mr Richards's case shows that Lloyds too should shoulder the blame. I have repeatedly detailed in the House the misconduct of which Mr Richards has been a victim at the hands of Lloyds bank, its Bristol recoveries unit and the estate agent Alder King, but for those who are unaware of the case, I will summarise it briefly.

Mr Richards was once a successful, and award-winning, farmer and businessman in west Wales. After setting up an account with Lloyds, however, he was soon left destitute when, without warning, it chose to transfer his account to its recoveries unit in Bristol. While the account remained at the unit, Lloyds managers John Holliday and Andrew Pavey allowed chartered surveyors Jonathan Miles and Julian Smith, of Bristol-based Alder King Estates, to act as Lloyds bank managers. Although no secondment agreement was in place, Miles and Smith were suddenly judge, jury and executioner of Mr Richards's account. A further surveyor, Martin Jones of Swansea-based Lambert Smith Hampton, may also have made decisions despite conflicting interests.

Despite that gross misconduct, the Royal Institution of Chartered Surveyors refused to take action against its members—Miles, Smith and Jones—even when it became apparent that they might have made a management decision and appointed fellow Alder King surveyors as Law of Property Act receivers. Since the incident, Mr Richards has met representatives of the RICS twice. Both have assured him that they will consider to be unethical piracy, must be brought to book. The FCA must play a much bigger part in doing this, rather than standing idly by.

The reason I am speaking today is that the D'Eye family, all of whom are constituents of mine, have been hit for six by the Royal Bank of Scotland's Global Restructuring Group and Dunbar Bank, owned by Zurich. From the story I have been told, Dean D'Eye and his family, and also his friends, have been terrorised by insolvency professionals working for GRG and Dunbar Bank. That is disgraceful. In my view, banks such as Dunbar and RBS, which have taken part in what I consider to be unethical piracy, must be brought to book. The FCA must play a much bigger part in doing this, rather than standing idly by.

In my view, this represents regulatory failure. What has happened to Mr Richards over the last 10 years is more than just an injustice; it has left him without the business that he worked for; and without the career and financial security that he obviously deserves. The misconduct that has taken place across the UK—on, I would argue, an industrial scale—has been swept away by those who have been tasked yet are reluctant to investigate. We need redress for the victims of misconduct and this begins with the regulatory bodies, including the regulatory bodies investigating those members that Members of this House have raised complaints about. I have written to all these organisations, but my letters are often ignored or receive brief, passive responses telling me my concerns and my constituents' concerns are simply not relevant.

The only way we can move forward is by having an inquiry, having more and better regulation, and ensuring our constituents receive the money they have lost. Mr Richards—who is in the Gallery today—is owed several millions of pounds in redress. This is the only real way forward if we are to help our constituents to get the redress the deserve.

2.30 pm

Bob Stewart (Beckenham) (Con): To be honest, I am surprised, if not shocked, that we are having to debate British banking misconduct in 2018. I suppose I must have been naive to believe for so much of my life that all banks, which I have always assumed to be pillars of the establishment, would deal properly, fairly and ethically with their customers. I assumed that one of their primary purposes was to help their customers to succeed in their businesses. It seems I was wrong in so many cases.

Equally, my eyes have been opened with regard to the Financial Conduct Authority. That body operates independently of the Government and its purpose is clear from its title: it is the financial regulatory body for banks in the United Kingdom and is supposed to ensure that they operate fairly as well as legally. But it clearly is not doing its job in the way it regulates how so many banks deal with small and medium-sized enterprises. The body is paid for by charging fees to members of the financial services industry. I am afraid that I must wonder whether that could sometimes influence the way it acts, or perhaps does not act, at least in some cases.

The reason I am speaking today in this debate is that the D'Eye family, all of whom are constituents of mine, have been hit for six by the Royal Bank of Scotland's Global Restructuring Group and Dunbar Bank, owned by Zurich. From the story I have been told, Dean D'Eye and his family, and also his friends, have been terrorised by insolvency professionals working for GRG and Dunbar Bank. That is disgraceful. In my view, banks such as Dunbar and RBS, which have taken part in what I consider to be unethical piracy, must be brought to book. The FCA must play a much bigger part in doing this, rather than standing idly by.

We in Parliament have a duty to insist that loans and funding for our small businesses are regulated fairly, ethically and with sympathy for people trying to make a living and to boost our economy. We also need a mechanism to ensure that past wrongs are put right. To get all this, it looks like we may need a public inquiry. If that is the case, I fully support one being set up as soon as possible.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I am afraid that we must now reduce the time limit to four minutes. I am sorry for not giving the next speaker, the hon. Member for Mitcham and Morden (Siobhain McDonagh), any notice of that.

2.34 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): Thank you, Madam Deputy Speaker. To attempt to stay within the time limit, I will abbreviate my contribution. I rise to speak on behalf of two constituents, Mr S and Mr A, who I believe may be in the Public Gallery today, both of whom I have attempted to assist, without success. They have both had a very difficult time.

Mr S is a former owner of a successful club and restaurant business in Chelsea and banked with RBS until 1998. In 1993, his account was suddenly moved to
the Specialised Lending Services division of RBS, which was subsequently renamed Global Restructuring Group. Mr S felt bullied by the bank to appoint its manager as a shadow director. In the eight months of this new management, £500,000 went out of his account and to date remains unaccounted for. His club lost its licence and was forced to close. Prior to the bank’s intervention, the value of the business was £2.25 million. At that point, it was just £100,000.

Mr S then spent £25,000 on obtaining a new licence before RBS Specialised Lending Services suddenly ordered payment of £500,000. The bank forced the business to close and tried to develop it for profit. Mr S was evicted from the neighbouring maisonette and made homeless. The bank’s actions lost Mr S his home, his business and, ultimately, his wife. Twenty years on, Mr S is still traumatised and has still not recovered financially.

My second constituent is Mr A, the former owner of an estate company in Kent. In this case, the bank was HSBC. The bank agreed to provide partial funding for a £2.2 million development project that started in 2007. It was approximately 75% complete when HSBC stopped the period funding payments. The UK economy was suffering and HSBC’s policy was to treat construction projects as a “restricted sector” for loans. This restriction ultimately, his wife. Twenty years on, Mr S is still traumatised and has still not recovered financially.

Mr A then spent £25,000 on obtaining a new licence before RBS Specialised Lending Services suddenly ordered payment of £500,000. The bank forced the business to close and tried to develop it for profit. Mr A was evicted from the neighbouring maisonette and made homeless. The bank’s actions lost Mr A his home, his business and, ultimately, his wife. Twenty years on, Mr S is still traumatised and has still not recovered financially.

The bank’s actions lost Mr A his home, his business and, ultimately, his wife. Twenty years on, Mr S is still traumatised and has still not recovered financially.

Mr A has lost his business; he has lost his house; he has lost his savings. He is now living in rented accommodation and depends on state benefits. He is understandably suffering from stress and has been classified as disabled. The consequences of HSBC’s actions are lifelong.

How can it be that in the 21st century banks can behave in this way and are free from any retribution?

2.38 pm

Luke Graham (Ochil and South Perthshire) (Con): I am conscious of time, Madam Deputy Speaker. I am disappointed that we are having to debate this matter at all today, let alone for the second time this year.

The section 166 report highlighted that RBS GRG was focused on profit over customer service. I was also interested to note that the Tomlinson report found few examples of businesses entering the RBS GRG then being returned to local management. On a separate, but interesting to note that the Tomlinson report found few examples of businesses entering the RBS GRG. Mr A had a development business in my constituency and was in the hands of GRG for a number of years. He was so aggrieved by its actions that he produced a 19-page report describing in tragic detail the manner in which RBS denied him the opportunity to rebuild the company after it fell into problems, closed down the company, which he had built from scratch, and tried to evict his entire family from the family home. This is but one example. I know that other Members have many more.

Small and medium-sized businesses are the backbone of our economy and often the lifeblood of our communities. They employ our constituents and pay the taxes that fund our public services—taxes that were also used to bail out the banks, including RBS. It is bad enough we had to bail them out in the first place; for those banks then actively to undermine the very source of their rescue is a serious moral, as well as legal, issue that we are right to consider and which we must address.

There is widespread discontent with the banking sector that admittedly is not limited to the actions of RBS but stems from the financial crisis in 2008 and other subsequent high-profile cases, such as that of HBOS Reading. The only way to restore any semblance of confidence in the banking sector is to hold an inquiry into the treatment of SMEs by RBS GRG. I am pleased therefore that the all-party group on fair business banking and finance has called for a public inquiry. I back that call.

The all-party group has laid out three reforms it believes are necessary to move the sector forward, and I am pleased to support its proposals, especially that for a more rigorous and robust dispute resolution procedure. Currently, victims have only two routes available—one via the Financial Ombudsman Service and one via the courts. As we know, the ombudsman does not always have the scope to deal with cases where compensation is worth more than £150,000, while going through the courts is potentially crippling expensive, especially for anyone who has just lost their business.

Any reform must address and tackle the causes that brought us to this point. It is simply not sufficient to recognise that it happened and compensate accordingly—we must improve the current processes and prevent these issues from ever recurring.

2.42 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I pay tribute to my hon. Friend the Member for East Lothian (Martin Whitfield) for his important and impressive speech earlier and for calling this debate.

I do not want to speak for long, but I do want to say a few words about the importance of restoring faith and trust in our financial institutions. Recent weeks have brought bad news of further bank closures in Scotland and across the United Kingdom by RBS. Three of the targeted branches are in my constituency, in Stepps, Tannochside and Bellshill. We are continually told that branches are being closed because more people are banking online, but what about the disabled, the elderly and others who want to open a new account? I accept that differently than they used to, but I take issue with the speed at which change is being forced through and the damage it is doing to communities along the way.

I ask RBS, if it is watching, to think again. Its closure programme is affecting the worst-off and most vulnerable people in my community and many others, as we have heard today, but RBS will never understand the frustration
that customers across Scotland and the United Kingdom feel at these bank closures. Stepps will be a town with no bank at all. That is unacceptable and speaks to the financial isolation and exclusion that can be triggered when these decisions are taken.

I mention all that because our small and medium-sized businesses are going to think twice before seeking to borrow from these financial institutions, and we cannot blame them—not when these banks are prioritising themselves and their profits over the communities they should be serving. They are putting profit before people. I often travel around Scotland and the United Kingdom, and I recently joined the campaign trail around London, and on every high street I see the same thing: “for sale” signs; boarded-up shops; graffiti; small businesses, once proud parts of our communities, closed down, and not because of their own endeavours but because the banking sector did not serve their interests.

This situation worries me hugely, especially as we are about to leave the EU. I campaigned proudly to remain in 2016, and I welcome Labour’s policy on the customs union and those in the Conservative party who might support it. The economic implications for small businesses across Britain of our leaving the EU will be huge, however, and I do not believe we have even started to understand what we need to do to keep them alive and protected from the coming economic shock. I call on the Minister to be loud and proud in getting a better deal for all our constituents and to call a public inquiry the Minister to be loud and proud in getting a better deal for all our constituents and to call a public inquiry.

2.45 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I thank the hon. Member for East Lothian (Martin Whitfield) for bringing forward this important debate. Like me, he is an officer of the all-party group on fair business banking and finance, which I co-chair. I also speak today on behalf of Jon and Kerry Welsby and others in my constituency who have suffered as a consequence of the apparent bank-induced failure of business services company Mouchel.

As the motion states, the problems in the banking sector are not restricted to RBS—I will offer evidence to the House later that will widen this debate—but I will deal first with RBS. It is clear that the senior management are directly responsible for what happened, but there are also serious questions that the regulator, the FCA, needs to answer, particularly about how it intends to hold these individuals to account through phase 2 of its inquiry and about the reasons for the fundamental difference in tone and substance between the conclusions of the full report and those of its summary. Its summary sets out its key conclusions, and although it identifies isolated examples of poor practice, it lists eight separate areas where RBS was cleared of blame before later highlighting areas in which widespread inappropriate treatment had occurred.

The full report, released eventually by the Treasury Committee some 15 months later, stated:

“Our central conclusions are that there was widespread inappropriate treatment of customers by GRG”,

that

“as being potentially viable”

and that

“the treatment appears likely to have caused material financial distress...for the most part”

as

“a direct result...of the priorities GRG pursued.”

Martin Whitfield: Is it not indicative of the problems of transparency that the delay between the release of the initial report and the full report was unacceptable and that it was only eventually released because of the efforts of Committees of the House and Members of this Chamber?

Kevin Hollinrake: The hon. Gentleman makes a strong point. We should thank the Treasury Committee and its Chair for their work.

As I said, these issues are not restricted to RBS. Many will also be familiar with the HBOS Reading scandal, where former bankers and their advisers were jailed for a total of 47 years in 2017 for activities that took place over a decade earlier, prior to the takeover by Lloyds in 2008.

I have recently been sent by one of those convicted, Mr Michael Bancroft—this was kindly facilitated by my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi)—hitherto unreleased documents, including the Project Lord Turnbull report, authored by Lloyds senior manager Sally Masterton, which alleges that senior managers within the bank were aware of the fraud prior to the takeover and the £14 billion Lloyds and HBOS rights issues, yet they took clear, deliberate and documented action to conceal it. Let us be clear: if this is true, it could potentially make the rights issues and the takeover fraudulent. Those named as culpable for non-disclosure in the report include chief executive Andy Hornby, chairman Sir Dennis Stevenson, former CEO James Crosby, corporate CEO Peter Cummings, and the auditors and reporting accountants, KPMG. The all-party parliamentary group will have a full copy of the report and Members will be given access to it. Status, seniority and background cannot be a barrier to justice or to holding to account those who are ultimately responsible for the devastation caused to so many lives and to the wider economy.

Luke Graham: Those papers, which will be made available to the APPG, mention the actions of the auditors, KPMG. Will KPMG be included in the investigation, and should it be the subject of a further debate in this place?

Kevin Hollinrake: They should certainly be included in the wider investigation, which is what I will call for shortly.

The Project Lord Turnbull report raises significant questions. Was there deliberate concealment of the scale of the fraud within HBOS and Lloyds? Who was party to the concealment? Crucially, did the concealment result in significant loss to bank shareholders and to subscribers to the rights issue? We see conflicts of interest in the report and in many other places. They include the auditors, KPMG, giving HBOS a clean bill of health in February 2008, only a few months before its collapse; the audit watchdog, the Financial Reporting Council, seeing no reason to investigate this audit; and the fact that four of the 10 members of the FRC board
are partners at KPMG and that it is chaired by former Lloyds chairman Sir Win Bischoff, who oversaw the £14 billion rights issue.

Our all-party group sets out clearly what steps we now need to take. We need an investigation into the serious concerns raised against Lloyds and HBOS. The FCA must build a reputation as a regulator that acts without fear or favour. We need a new primary dispute resolution mechanism, potentially in the form of a financial services tribunal, which also sets aside the statute of limitations. We need a review of the structure of our financial crime agencies in the light of the evidence now before us to ensure that our system of justice is fit for purpose. Finally, the only way in which we can resolve the deep-seated cultural problems in our banking sector and remove the conflicts of interests that are so prevalent is by way of a full public inquiry.

2.52 pm

Chris Ruane (Vale of Clwyd) (Lab): I wish to use these few short minutes to quote from a letter given to me by Martin Wickens, a chartered accountant who has worked closely with my constituent George Jones, a farmer in my constituency, and with hundreds of other farmers and small and medium-sized enterprises across the country that have fallen foul of the predatory behaviour of many of the banks, accountants, surveyors and solicitors who have perpetrated these crimes. Many of the tactics outlined in Martin’s letter were used by those involved in taking money from those SMEs. I want to put an extract from his letter on record in the hope that those who should be investigating these matters will take his evidence seriously and investigate with more vigour. Martin states:

“Despite numerous Complainants reporting the matter to the Police, Solicitors Regulation Authority, Serious Fraud Office and Financial Conduct Authority the matter has not been investigated and repossession continues. The documentary evidence examined allegedly shows, inter alia, the following in support of the position take his evidence seriously and investigate with more vigour. Martin states:

1. Undisclosed conflicts of interest by associated Solicitors, Valuer, Mortgage Broker, Lenders, Business Advisor and LPA Receiver.
2. Valuation Rigging.
3. The payment of substantial secret commissions of up to £92,927 by Commercial First Business Limited to UK Mortgages & Finance Services Ltd, a UK Acorn company.
4. Mortgage Churning and entrapment through destruction of the equity of borrowers by the creation of a vicious spiral of debt by unnecessary and excessive interest, fees and charges in favour of the associated Solicitor Lenders, Mortgage Broker and Valuer by a succession of highly expensive bridging loans.
5. Regulated mortgages advanced as unregulated loans when the lender is not authorised or regulated to do so.
6. Conspiracy to defraud and Document forgery.
7. False accounting and business plans, misrepresentation, unfair relationships in favour of lender, breaches of fiduciary duty and trust, including non-fulfilment of promise to transfer borrowing to cheaper lender.
9. Little or no due diligence by lender…and asset based lending with no exit route other than repossession. The average age of the Commercial First Business Limited borrowers is 90…but in one case 95…at the end of the 25 or 30 year mortgage term.
10. Separate mortgages on house and land to increase power of lender on repossession and advances to a limited company formed for that purpose which converts a regulated mortgage into an unregulated product with loss of legal protection including that for minors.”

I quote at length to prove to the Minister that these serious charges and allegations cover things that have been happening for 15 years, and nobody has been brought to book.

Will the Minister meet me and Martin Wickens to discuss these serious issues and to make sure they are rectified?

2.55 pm

Alex Burghart (Brentwood and Ongar) (Con): It is a pleasure to have the opportunity to talk in this important, if somewhat depressing, debate. We have heard over and again from hon. Members on both sides of the House that the FCA, the ombudsman and the banks have been found wanting, so we must ask what possible redress our constituents can hope to have when those three bodies are found not to be up to the mark.

A number of cases in Brentwood and Ongar have been brought to my attention, but this afternoon I will just talk to the case of a couple I believe are with us in the Gallery. They took out a mortgage with Halifax, part of Lloyds Banking Group, in 2008. They were not in arrears at the time, but they sought to remortgage in 2013 because they could see things might be difficult down the line. Their request was refused. The couple subsequently did fall into arrears, and the bank sought to repossess their house, which caused them an enormous stress to their wellbeing and health. One can only imagine the stress people go through in such circumstances.

We know LBG is not spotless in this area. In April 2017, the ombudsman found against LBG in the case of a customer who had been stranded on a variable rate mortgage—people in that situation are called mortgage prisoners—and found this had left the borrower in a “worse position, having to pay a higher rate, which hasn’t been in his best interests.”

A couple of months later, in July 2017, the FCA issued a statement saying that LBG had agreed to set up a redress scheme for mortgage customers who had incurred fees after they fell behind with their mortgage payments:

“Following engagement with the Financial Conduct Authority…Lloyds acknowledged that when customers fell into arrears, they did not always do enough to understand customers’ circumstances to be confident that their arrears payment plans were affordable and sustainable.”

Those two findings in 2017 should have given my constituents some succour and hope, but they had previously taken their case to the ombudsman and consequently found themselves with no adequate redress. Like many hon. Members here today, they subsequently saw the “Dispatches” programmes mentioned by my hon. Friend the Member for Harborough (Neil O’Brien) in which it became clear the ombudsman may not have had quality of judgment in many cases. My constituents have grave uncertainty that they have been treated fairly.

We now find that the bank is disinclined to change its mind. We have reached an impasse. My office, the all-party parliamentary group on fair business banking and finance and the family themselves have been round the houses. They have gone back to the bank, to the FCA and to the ombudsman, but there is no way through.
We are left in a frustrating position, and my constituents feel that vital information about their case is not being taken into account. Indeed, we can see no way in which it can be taken into account.

I would be grateful if the Minister considered my constituents’ case as he looks again at the system. I am interested in the APPG’s proposals for an affordable and accessible dispute resolution platform with the powers of a court. We must strive for fairness, and fairness requires honest redress and honest arbitration.

2.59 pm

Jim Shannon (Strangford) (DUP): First, I congratulate the hon. Member for East Lothian (Martin Whitfield) on securing the debate. In my last speech on this matter in this House, I referred to a farm in the constituency of my hon. Friend the Member for East Londonderry (Mr Campbell); the family live in my constituency. I remind the House that they paid back half a million pounds in capital and £535,000 in interest, including £62,000 just to leave the bank they were with and go to another bank. The bank had the audacity to charge £6 for a transfer fee on the £1.25 million balance. What bank was this? It was the bank I am with—the Danske bank in Northern Ireland, the most profitable company in Northern Ireland, with profits of £117 million in 2016 and of £145 million in 2017. Its chief executive has said:

“We are absolutely delighted to have retained top spot in the Belfast Telegraph’s listing of the Top 100 companies in Northern Ireland”.

Would it not have been better had it been in the top 100 for customer care and looking after its customers? That is what we should have had, instead of it trying to make more dividends for its shareholders.

In the time I have available, I shall be speaking about Hubert and Marjorie Armstrong, who have also had a nightmare situation with Danske bank in relation to their property development business, Moorcroft Estates Ltd, which has sites at Glenburn Manor of some 44 units and Fashoda Street in east Belfast, with a plan to build some 47 apartments. On 7 May 2007, Danske advanced the company £1.25 million, which was matched by the business, which had been successfully trading for a decade. Danske subsequently took an additional charge of £300,000 on their family home.

This story is dreadful, and, as happens all too often, it involves health issues. The company was finally insolvent in May 2010. On the preliminary reading, Mr and Mrs Armstrong’s personal efforts to pursue the matter with the FCA are interesting and resonate with much of what I have heard from right hon. and hon. Members in this Chamber today. Mr Armstrong’s is a classic case of where the Financial Ombudsman Service should not be involved now or in the future. It shows why we believe the tribunal is the correct complementary solution, to run alongside the right expanded remit of the FOS. Those of us in the all-party group on the Connaught Income Fund have come across many episodes and examples of where the FCA has failed in its duty as a regulator. We have read of the actions, or indeed the inactions, of the Financial Services Authority and FCA, and the FCA board should hang their heads in shame. Past victims have been ignored.

I am conscious of the time and I am trying to race through this. I hope I am not talking too fast, Madam Deputy Speaker. If I am, I apologise to the House.

Kevin Foster (Torbay) (Con): It is always a pleasure to follow the hon. Member for Strangford (Jim Shannon), although we usually do this in Westminster Hall, rather than here in the main Chamber. It is also a pleasure to be called in this debate and to congratulate the hon. Member for East Lothian (Martin Whitfield) on securing it, as it gives many of us an opportunity to speak up for businesses that were so badly treated by their banks. At a time when these businesses needed support and a relationship that looked to the future, they instead found short-term attitudes being taken by their lender, offering them little, other than something they did not want or the opportunity to go bankrupt. It was pretty obvious what the outcome of those choices would be.

My involvement in this has been prompted by the case of Rew Hotels Ltd, which has a number of hotels in my constituency. The business is family owned, and they have been developing and running their service for many years.

Bob Stewart: Fawlty Towers!

Kevin Foster: Thank you. A stay in a Rew hotel is nothing like Fawlty Towers, although I understand that Basil Fawlty might be about to leave the country following one of this week’s votes.

I have only a short time, so will come back to what I was saying. Around 10 years ago, Rew Hotels was offered a hedge that it really did not want. Its bank at the time was Barclays. It was not a constructive discussion; it was basically a choice of the company either taking a hedge that it really did not want, that would cost it a large amount of money and that would not have any great benefit to the business, or trying to refinance multimillion-pound debt in the middle of a credit crunch. It was obvious what the choice was going to be. The company was saddled with it for several years, but in the end bought itself out. It is estimated that, all in, it lost around £850,000 in the process.

That £850,000 is not just a figure; as Tim Rew, whom the Minister has met, says, it is not just lost money but lost jobs, lost investment and lost opportunity. It is a
lost chance to develop new rooms and facilities, and other things to bring guests into Torbay. This is not just a debate about what a profit margin might or might not have been. Fundamentally, there is a feeling of injustice that a small company has had to work to produce that for a very large banking corporation that could have done a whole lot better in its attitude and support.

The Minister will know from his meeting with the Rews that their next frustration came with the methods of redress. One of the initial offers was for them to be given some compensation and, oh yes, to sign up for another hedge. They did not want a hedge in the first place, and now they had the chance to sign up for another. It was literally ridiculous.

The potential alternatives for smaller companies are difficult. Rew Hotels was caught by the fact that, because it is a hotel group and has large numbers of waiting staff and general hospitality staff, it was classed as a slightly more sophisticated investor. I could understand that argument if it was a solicitors company, with 50 or 60 solicitors and accountants and a small percentage of non-professional staff. This company, though, was clearly going to be limited in its capacity to make a professional investment decision, yet because it has a large number of employees, it was designated as though it was a great expert in the financial markets, which was clearly unfair.

I was interested to hear the suggestion in the speeches of my hon. Friends the Members for Thirsk and Malton (Kevin Hollinrake) and for Brentwood and Ongar (Alex Burghart) about looking into a more tribunal-based approach to dealing with some of these cases. Rew Hotels feels that the existing system is like the banks marking their own homework and deciding to give themselves an A, and then saying that even along with compensation a company should have what it does not want.

I have every confidence in the Minister, who I know has an understanding of tourism, given his previous role. I hope that he will consider carefully some of the arguments made in this debate and that we can give companies and those who have been victims a proper role. I hope that he will consider carefully some of the arguments made in this debate and that we can give companies and those who have been victims a proper role. I hope that he will consider carefully some of the arguments made in this debate and that we can give companies and those who have been victims a proper role.

I have every confidence in the Minister, who I know has an understanding of tourism, given his previous role. I hope that he will consider carefully some of the arguments made in this debate and that we can give companies and those who have been victims a proper system of redress, other than costly legal action.

3.7 pm

Stephen Kerr (Stirling) (Con): It is a pleasure to follow my hon. Friend the Member for Torbay (Kevin Foster), and I congratulate my friend, the hon. Member for East Lothian (Martin Whitfield), on securing this important debate.

Let me start with what we all hope is a mythical three-headed beast that guards the gates to hell: Cerberus, the veritable hound of hell. However, this beast is not mythical, but one of the largest private equity firms in the world. Its interests include private armies and arms manufacturing; it structures itself in such a way that it pays virtually no tax; and it likes to go shopping in the UK for commercial loan books. In Scotland, it has purchased almost all of Clydesdale bank’s commercial property loan book. Rather than run down its book as RBS’s Global Restructuring Group did, Clydesdale took a more straightforward approach: it sold its book to henchmen to do the work for it. Let me be clear, these are not necessarily non-performing or toxic loans; they are just non-core to the Clydesdale.

Why does Cerberus like to shop here? It is quite simple, and a matter of interest to me as a member of the Business, Energy and Industrial Strategy Committee: commercial lending is unregulated and our insolvency system is one of the most creditor-friendly in the world. Firms can buy a loan book, scour the one-sided contracts for any technical breach and, even if a loan is being serviced, put the company into administration, sell the assets and, if there are personal guarantees involved, go for personal bankruptcy and the family home of the guarantors.

All that brings me to an illustration of the individual human toll of banking misconduct. Let me read some very poignant words that were sent to me by a constituent. This businessman’s experience relates to Clydesdale bank, but we all know that we could substitute the name of almost any bank. He says:

“One very personal matter I can confide to you”

is that

“as a direct result of Clydesdale Bank’s strategies, actions”

and

“correspondence, I had a nervous breakdown, coming very close to a life-threatening condition.”

He goes on to say:

“Many business people would not admit to the shame of the impact that Clydesdale had on their life and that of their families. For that reason alone and not that of revenge or financial redress I would ask that this issue is brought out into the open for MPs to discuss the legacy left. It has been a very high cost in many ways.”

Finally, he says:

“My business interests have survived just, but I can no longer play any part in developing the Scottish economy as a result of that period, and that is a high cost and a loss to the Scottish economy.

I am very grateful to him for giving me his brave testimony. It is truly shocking that an individual who only ever set out to generate an income and run a good business has been not only financially damaged, but stripped of his plans and his ambitions. His is just one story, one life ruined, but of course we know that it is replicated in every constituency across the country. What has our small business community done to be treated in this way? Surely it deserves better. It has never been more important for the British economy—

Kirstene Hair (Angus) (Con): Does my hon. Friend agree that the recent section 166 report into the Royal Bank of Scotland’s misconduct was limited to only those cases from 2008 to 2013, which means that victims such as my constituent Mr Nigel Henderson, who was going through this from as early as the 1990s, does not have a voice?

Stephen Kerr: My hon. Friend makes her point, which I will repeat: surely these business people deserve better. It has never been more important for the British economy to support small businesses; they are the engine for growth. We need to draw a line in the sand, provide redress for those still suffering as a result of bank misconduct and put safeguards in place so that this cannot happen again. If we are to learn anything from the scandals that have plagued the commercial finance sector, it is that we must look at the way that we treat our businesses. That is why I support the motion today, and why I reiterate my support for a full public inquiry.

3.11 pm

Kirsty Blackman (Aberdeen North) (SNP): I will not say that it is a pleasure to speak in this debate, because it is not. The stories that we have heard from across the
House today are absolutely harrowing. It is clear that each one of us represents constituents who have been affected by what RBS, GRG or one of the other banks have done in the pursuit of profit.

I must declare an interest: my cousin, her husband and their four children were one of the families who were affected by RBS and GRG. In fact, their business was put into the GRG and, as late as 2016, they were made homeless as a result of GRG reposessing the farm in which they lived, so a couple with four children were made homeless by GRG. I felt that it was important that I declared that as an interest.

One of my constituents, who I hope is in the Public Gallery today, has also been to see me in relation to his experiences with GRG. I will not say exactly what GRG did, because that has been widely covered by a number of Members this afternoon. His wife suffered a cardiac arrest as a result of what happened with GRG. One Conservative Member—I apologise, but I forget who—talked about the fact that companies jumped through all the hoops they were asked to jump through and yet were still relentlessly pursued for money that they were said to owe because of over-inflated interest rates. This was a relentless pursuit of profit. My constituent who approached me is very clear that there needs to be a public inquiry, and I absolutely agree with him.

This issue has destroyed lives. It is impossible to overestimate how hard it is to be a small business owner anyway. It is difficult to run a small and medium-sized business, particularly if a person has not run one before. It is a lonely occupation. A person is there trying to run a business by themselves. They may never have done that before, and their bank is supposed to be there to support them; they are supposed to be there to provide them with finance to ensure that they can run a successful business. They are not supposed to pursue people for the assets that they want to gain for themselves.

We have not covered how much of a cabal this situation has involved. The reality is that a very small number of people were running GRG. In fact, some practices that have been raised with me involved these people trying to cover their own backs by encouraging one small business owner to take over the assets of another small business owner at a particularly low price, so that that person’s balance book could look wrong. It is horrendous if those things happen, but they were able to happen because of the very small nature of such organisations and the fact that people were not able to talk about them because they were being told that they were in debt.

Patrick Grady (Glasgow North) (SNP): I, too, have had constituents affected by this, and I agree with many comments made throughout the debate. My hon. Friend is making the case for a public inquiry, otherwise it will fuel suspicions that there is an attempt to continue to keep this matter away from the public eye. She also highlights the fact that we are talking about the Global Restructuring Group. Does she agree that the Minister needs to tell us whether there is international exposure on the activities of the Royal Bank of Scotland—that is, whether these practices were used in some of its overseas activities and whether it is liable for the results of any such behaviour?

Kirsty Blackman: This has not been widely covered in anything that has been published so far in relation to GRG. It would therefore be incumbent on any inquiry to take that into account.

The hon. Member for Thirsk and Malton (Kevin Hollinrake) mentioned the issues with the section 166 report and what was initially published. He made an important point, and I echo his sentiments. For hon. Members who have not read the report, it makes for devastating reading and is worth looking at.

The reality is that the redress scheme is not good enough. For a start, it does not have enough money to compensate victims adequately for what has happened to them. RBS will never be able to afford to fund all the claims being made by small or medium-sized businesses. As the redress scheme is run by the bank itself, it is fairly easy for the bank just to pay out to the victims, where the bank now has majority ownership and is therefore one of the main creditors. If there is not adequate external scrutiny, such situations can arise without check.

GRG was in the wrong. Everybody in this House agrees that GRG was in the wrong. RBS agrees that GRG is in the wrong, which is why it has a redress scheme. It is clear that the time for talking has passed. All of us standing around here are clear that something needs to be done. This issue has united the House, which does not happen very often. It is in the power of the Government to take actual action and to create a real system with proper redress.

Joanna Cherry: Does my hon. Friend agree that the Minister needs to give us some tangible gains to take away to our constituents—including my constituents Mr and Mrs Neave—as a result of today’s debate? We have been going around the houses for years now, as the hon. Member for Brentwood and Ongar (Alex Burghart) said.

Kirsty Blackman: I absolutely agree. The time for talking about this is over. It is time for the Government to take action. It is time for action to ensure that all our constituents can claim the redress that they should and that all business practices that devastated people’s lives are properly brought to light.

3.18 pm

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): It has been a sobering experience to listen to this debate. We have heard so many stories and so much advocacy from hon. Members on behalf of constituents. I commend everyone who has spoken today. I thank my hon. Friend the Member for East Lothian (Martin Whitfield) and the all-party parliamentary group on fair business banking for securing this debate on a topic that continues to be of such critical importance.

In my remarks I want to restate the Opposition’s support for a full public inquiry; talk a little about the current inadequacy of the regulator and the section 166 procedure; state why an independent mechanism of redress for business is clearly required; and say why this is in the best interests not just of customers and the country, but of the banks themselves.
This debate shows that the issues around the relationship between banks and their business customers are not fading, diminishing or going away. Rather, in recent weeks we have continued to hear yet more appalling revelations about the way in which RBS’s Global Restructuring Group treated its customers and stories of how that had spread to other financial institutions, too. Following the efforts of my hon. Friend the Member for Norwich South (Clive Lewis), we can now read the full section 166 report on the conduct of the GRG unit. The extent of the inexcusable behaviour revealed in that report is truly shocking. The purchase of the assets of distressed businesses, in some cases by RBS staff themselves, illustrates just how deeply the conflicts ran within GRG. Clearly, certain bank employees felt that they could act with total impunity towards their customers, and that cannot be acceptable.

We are all aware that the complaints process is ongoing between RBS and its former business customers who were the victims of GRG. However, I echo the call made by my hon. Friend the Member for Norwich South and for Sefton Central (Bill Esterson) in the debate that took place earlier this year in saying that this issue demands a full, independent public inquiry. Given the revelations exposed in the section 166 report, there must be a comprehensive examination of whether criminal liability has occurred, and those responsible must be held to account. In addition, given that certain individuals involved in GRG’s management continue to work in senior positions within British banking, surely an objective assessment should be made as to whether those people are fit to do so.

I am afraid that the Government’s response on this has so far fallen short—for instance, in the Treasury’s repeated cut-and-paste responses to the numerous parliamentary questions tabled by my hon. Friend the Member for Sefton Central since December 2017. The Treasury has simply deferred the issue time and again, saying that it is impossible to comment while the Financial Conduct Authority’s investigation is ongoing. Will the Minister please acknowledge today the strength of feeling in all parts of the House?

Another key issue is the effectiveness of the existing system—in particular, the use of section 116 reports and whether that is entirely appropriate to deal with these cases. A section 116 report, or skilled person’s report, is conducted by a third party appointed by the Financial Conduct Authority. The cost is met by the subject of the investigation, and it can range from hundreds of thousands of pounds to millions of pounds, but the reports remain entirely confidential. This lack of transparency is not good enough.

Kevin Hollinrake: The hon. Gentleman mentioned executives from RBS who are still earning large amounts of money within the financial services sector. Is he aware that Nathan Bostock, a senior director within GRG, currently earns £1.6 million as chief executive of Santander and £1.8 million a year from RBS as part of his pay-off?

Jonathan Reynolds: I am grateful to the hon. Gentleman. These are the questions that need answering. People have told me that they worked for RBS and left because they were unhappy with the conduct of the bank. Surely they should also be allowed to put their case in a proper way.

Returning to the confidentiality of section 166 reports, I have to put on record the disquiet, certainly among Opposition Members, about the discrepancy between the FCA’s summary of the investigation into GRG and the actual report in terms of the former’s heavily sanitised nature. Now that the report has finally been made public, we can fully witness the extent to which relationships with business customers were abused. Under normal conditions, however, the report would have remained confidential. That cannot be appropriate, because it furthers the perception that the odds are stacked against businesses. We need processes that are transparent and fair, and command the confidence of everybody. We also need to look at who is asked to undertake these reports and any conflicts of interest that they might have.

As many Members have pointed out, small businesses are the backbone of our economy. If they cannot trust the financial institutions that are meant to serve them, we are all going to pay the price for that. Statistics show that up to half of all SMEs are non-borrowers, although we do not know whether that is because they do not feel they can trust their banks or simply feel too anxious to expand by taking on credit. As a country, we all acknowledge that we need to offer those businesses the right incentives and support to grow. We need to solve this crisis of trust in business banking. An independent arbiter who can fill the gap between the Financial Ombudsman Service and the full legal route for redress is a minimum sensible starting point for consideration. We await with interest the outcome of UK Finance’s independent review, chaired by Mr Simon Walker, of complaints handling and alternative dispute resolution for SMEs, which could provide a steer.

However, I do not believe that this industry can be allowed to self-regulate, and that is why an independent platform must be considered. Like many Members who have spoken today, I believe that the restoration of trust in business banking is essential, but it will not come without the Government taking decisive action. A public inquiry, redress for victims, accountability for those responsible and a new independent system of redress are surely the right places to begin.

3.24 pm

The Economic Secretary to the Treasury (John Glen):

First, I congratulate the hon. Member for East Lothian (Martin Whitfield) on securing this debate and thank the Backbench Business Committee for granting it. I have listened carefully to more than 20 speeches and 30 contributions, and I would like to acknowledge the request from the hon. Member for Vale of Clwyd (Chris Ruane) and my hon. Friend the Member for Brentwood and Ongar (Alex Burghart) to address specific cases; I am happy to engage with them on that.

Considering the developments in the case of RBS Global Restructuring Group since our debate on 18 January, it is absolutely right that we revisit this important subject. As Members across the House have said, small and medium-sized businesses are the backbone of our economy—I grew up in one—and they depend on financial services providers for vital finance through lending, but those transactions must be in the strictest accordance with the law. Let me be clear: wherever that has not been the case, any business affected should be compensated.
I have listened carefully to a whole range of stories from Members this afternoon about people who have clearly been badly let down. I had the privilege of meeting hoteliers in the constituency of my hon. Friend the Member for Torbay (Kevin Foster) who were treated in an appalling fashion and given products that were clearly not suited to their needs. That has been replicated in very many cases. I have been moved by the numerous letters I have received from Members on behalf of their constituents, many of whom face significant difficulties as a consequence of their treatment by RBS GRG.

I want to reassure the House that the Government and the Financial Conduct Authority take this issue very seriously. I understand the frustration about the timing of resolution, and I want to address specifically what I have done as the Minister since January. In March I met Andrew Bailey, chief executive of the FCA, and stressed to him just how important I consider the proper and full resolution of the RBS GRG issue to be, which he agrees with. The skilled person report produced for the FCA stated that there were areas of widespread inappropriate treatment of firms by RBS. That is unacceptable.

I went on to meet the chief executive of RBS recently, to discuss the range of issues that were raised then and have been raised again today. Following that meeting, I was pleased to receive a letter from the chief executive addressing a number of the points that colleagues have raised today. RBS has committed to setting up an independent appeal process for consequential loss claims, addressing a gap that existed in the redress scheme, and it is discussing with Sir William Blackburne how that process will operate. RBS has also agreed to stand aside—rightly, in my opinion—from any money that might be returned to it from redress paid to liquidated companies and will donate that money to charities supporting small businesses. I welcome those important steps in improving the operation and transparency of the redress scheme for businesses affected by RBS GRG.

As Members will be aware, the Treasury Committee has published the FCA’s full report on RBS GRG. The FCA is now conducting the second stage of its investigation, which is a more focused investigation into the matters arising from the report. It has moved on quickly, so that we can examine the issues more quickly than if we had gone through an alternative process. I have confidence in the FCA’s approach and direction on this case. I am meeting Andrew Bailey regularly, and I hope that the FCA will conclude its investigation soon, by which I mean in the next eight to 12 weeks. As I mentioned in our debate on this topic in January, I do not wish to complicate the matter further or prejudice any outcomes while the FCA is investigating, but I am very clear that I expect it to conclude its investigations in a very short timeframe.

The FCA’s independence is vital to its role; it was vital before 2010, and it is vital now. Its credibility, authority and value to consumers would be undermined if it were possible for the Government to intervene directly in its decision making.

I would like to turn now to the broader issue of alternative dispute resolution methods between SMEs and banks and to some of the issues around professional services that were raised in the debate.

Kirsty Blackman: Will the Minister commit to, if possible, putting the RBS letter in the Library, so that we can all see it? Will he also ensure that when the FCA does conclude the final part of the report, we can all see the full version as soon as possible?

John Glen: I am grateful for that intervention. I am happy to clarify that the letter has been copied to the chair of the APPG and the Chair of the Select Committee, and I will make it more widely available.

There are already a number of avenues for SMEs seeking a resolution when dealing with their bank. Our smallest businesses have the Financial Ombudsman Service. I am of course aware of the “Dispatches” programme, and I have met the chief executive. The FOS is reviewing its operations and addressing the matters raised.

Where there are widespread issues, the FCA can ensure, and has ensured, redress through industry-wide or firm-specific redress schemes. Of course, there is also the usual legal process open to business, although I know this can be a time-consuming and costly process.

Since the last debate, the FCA has published a consultation paper on expanding the remit of the Financial Ombudsman Service, which would widen eligibility to include a greater range of SMEs.

Joanna Cherry: On the point about legal redress, does the Minister not appreciate that a lot of our constituents have lost everything. If they are in Scotland, they might be lucky enough to still be eligible for legal aid, but many legal aid lawyers are not equipped to take on this sort of complex action, so this is a real David and Goliath situation. That is why we need the tribunal.

John Glen: I acknowledge the outstanding concerns of many people across the United Kingdom, and that is why I welcome the FCA’s consultation. It is my belief that widening SME access to the FOS is the right thing to do.

Clive Efford: My constituents became involved in this not because they had an SME, but because they were trying to get a mortgage and were forced into this process. The mistake was made with the first loan that was given to them, but the ombudsman will not recognise that and look into it. What we need is more pressure on the ombudsman to listen to the consumer and not the banks.

John Glen: I listened very carefully to the case the hon. Gentleman outlined, and I recognise the challenges that the FOS has to face up to. That is why I welcome the FCA’s investigations and the FOS’s own investigation following the “Dispatches” programme.

It is important that the landscape for dispute resolution for SMEs does not discourage or inhibit the ability of banks and small businesses to resolve disputes between themselves in a satisfactory way, where possible. I therefore welcome the reviews being undertaken in this area by the APPG on fair business banking and finance—ably led by my hon. Friend the Member for Thirsk and Malton (Kevan Hollinrake) and the hon. Member for East Lothian—and by UK Finance, as well as the Treasury Committee’s ongoing interest in this area. When the findings of these reviews are published, we will consider them carefully, along with the outcome of the FCA’s current consultation.
In the interests of time, I will briefly conclude by summarising the Government’s position. It is right that we wait for the conclusion on GRG of the FCA’s investigation of the matters arising from its skilled persons report before determining what further actions need to be taken, and I reserve judgment on what they could be.

On dispute resolution more widely, we must acknowledge the existing avenues, including the work that is going on in terms of reviewing and enhancing the Financial Ombudsman Service’s provision. The FCA is progressing its work looking at the relationship between SMEs and financial services providers, and the APPG and UK Finance are undertaking their reviews as well. In the light of all the work going on, and the imminent conclusion of it, it is important that I consider that before we take alternative routes.

Once again, I thank all Members on both sides of the House who have raised very important issues on behalf of their constituents. I remain engaged to find a solution—a solution that works for all of them.

3.34 pm

Martin Whitfield: I thank the Minister for his response, but I also want to thank the 18 Back Benchers on both sides of the House who have spoken with a single voice. We are concerned about our constituents, who have been let down by the banking system. At the moment, we are in a cul-de-sac of regulation and dispute resolution, and this is going nowhere.

I hear what the Minister said about awaiting the report. By my calculation, it will be out in August, by which time other reports will be available. May I book an August slot now, Madam Deputy Speaker, should we need to return? Let us hope we do not need to return to this, but our constituents are not going away and we, acting on their behalf, are not going away either. I look forward to having such a discussion in August, when we may have a more positive response about a public inquiry and an independent tribunal and about the responsibilities of other professionals connected to the banking service.

Question put and agreed to.

Resolved.

That this House welcomes the public disclosure of the Section 166 report into the conduct of RBS Global Restructuring Group (GRG); is concerned about the fundamental difference of tone and emphasis between the summary produced by the Financial Conduct Authority (FCA) and the full report; believes this calls into question the strength and independence of the regulator; notes that the concerns raised in the debate on 18 January with regard to the financial services sector, which is not limited to RBS and its advisors, not only persist, but are amplified by the conclusions in the report; calls on HM Treasury to instruct the FCA to move on to phase 2 of the investigation into the root causes of the conduct of RBS GRG by a body independent to the FCA; and once again calls for an independent inquiry into the financial services sector and the associated industries that have allowed misconduct to thrive, and the establishment of an independent mechanism for redress for businesses.

Libyan-sponsored IRA Terrorism

Relevant documents: Fourth Report of the Northern Ireland Affairs Committee, Session 2016–17, HM Government support for UK victims of IRA attacks that used Gaddafi-supplied Semtex and weapons, HC 49, and the Government response, HC 331; and correspondence between the Chair of the Northern Ireland Affairs Committee and the Minister of State for the Middle East, relating to the previous Committee’s inquiry into HM Government support for UK victims of IRA attacks that used Gaddafi-supplied Semtex and weapons, reported to the House on 29 November 2017 and 9 May 2018.

3.35 pm

Mr Laurence Robertson (Tewkesbury) (Con): I beg to move.

That this House calls on the Government to take steps to obtain the required international authority to use a proportion of the assets of the Libyan Government that were frozen in the UK to compensate the relatives of people murdered and injured as a result of Libyan-sponsored IRA terrorism and to fund community support programmes in areas affected by that terrorism.

I thank the Backbench Business Committee for allocating time for this debate and all right hon. and hon. Members, and indeed the Minister, for attending a debate on a subject that should have been finalised and closed a long time ago.

During my time as Chairman of the Northern Ireland Affairs Committee, we had the opportunity of holding an inquiry into Her Majesty’s Government’s support for UK victims of IRA attacks that used Gaddafi-supplied Semtex and weapons. That was an opportunity not only to hear from the victims of those attacks and the families of those who, sadly and tragically, lost their lives, but to draw attention to a series of missed opportunities to secure compensation for those victims. Today, we call on the Government to make amends for the inaction of previous Governments by securing justice for those victims and their relatives.

James Cartlidge (South Suffolk) (Con): I congratulate my hon. Friend on securing the debate. Does he agree that it is very timely given the Attorney General’s statement earlier, which revealed—and it may be entirely justified—that a Libyan citizen who was wronged by this Government has received £500,000 in compensation?

Mr Robertson: My hon. Friend makes a very good point. As I get deeper into my speech, I will refer to other compensation awards, but the Government should certainly follow that guiding principle.

The role of the Libyan Government in bolstering the activities of the Provisional IRA should not be understated. When he appeared before the Select Committee, the former Foreign Secretary, the right hon. Jack Straw, stated:

“In the 1980s and early 1990s, Libya was probably the most serious state sponsor of terrorism in the world.”

Those were very strong words. From the early 1970s through to the 1990s, the Gaddafi regime in Libya supplied arms, funding, training and explosives to the Provisional IRA, which is accepted by many to have both extended and worsened the troubles.

Through a series of shipments that took place in the mid-1980s, the regime supplied the Provisional IRA with up to 10 tonnes of Semtex, a highly powerful and
virtually undetectable plastic explosive. The Semtex supplied made possible a deadly bombing campaign from the late 1980s, resulting in a horrific loss of life across Northern Ireland and the mainland. These include the attacks in Enniskillen, where a bomb was detonated that killed 11 people during a Remembrance Sunday ceremony, the bombings in Warrington that resulted in the deaths of two children—Tim Parry and Johnathan Ball—and the attack at docklands in this city, where a bomb killed two people and injured about 100 more. This is to name just a few of the atrocities carried out by the Provisional IRA using the Libyan-supplied Semtex. It does not come close to illustrating the extent of the devastation caused. While that loss of life is a tragedy, those attacks also had far-reaching implications for those who were injured and for the families and loved ones of those who sadly lost their lives.

During our inquiry, many victims emphasised not only the physical effects of the attacks, but the emotional, psychological and financial difficulties caused. The testimonies of those victims have been highlighted in previous debates, but it would be valuable to the House to consider them once more, to illustrate the sheer loss, heartache and pain caused by those attacks.

Colin Parry, whose 12-year-old son, Tim, died following the Warrington bombings in 1993, told the Committee: “Describing the final moments of your child’s life is beyond words...because, as a parent, there is no greater pain or loss than the death of your child.”

Suzanne Dodd’s father was the inspector on duty on the day of the Harrods bombing. She told the Committee that, on the day of the attack, she and her siblings had been waiting for their father to come home to put up the Christmas tree when their mother told them that there had been a bomb at Harrods and that their father would be late. It emerged that her father had been seriously injured. Her mother returned from hospital on Christmas eve, telling Suzanne and her siblings that her father had died.

The urgency of this issue is possibly best illustrated by Mrs Gemma Berezzag, whose husband was left blind, paralysed and brain damaged by the docklands bombing. For 20 years she cared for her husband’s complex needs on a daily basis. She sadly passed away in 2016, before on a daily basis. She sadly passed away in 2016, before

Lady Hermon (North Down) (Ind): I congratulate the hon. Gentleman on securing this debate on a sensitive and important issue. Has he any evidence that the current Government have intensified their efforts to obtain compensation from the Libyan Government for all those victims of IRA-sponsored terrorism not just in Northern Ireland but throughout the United Kingdom?

Mr Robertson: The hon. Lady is a valuable and active member of the Committee and she took part in the inquiry to which I refer. I will touch on the issue she raised in a moment because it is a very important point. In the 2000s, compensation was secured for the families of the Lockerbie bombing victims, and in 2004 we had the first visit to Libya by a British Prime Minister for 60 years. That visit was accompanied by the announcement that Shell had signed an agreement worth up to £550 million for gas exploration rights off the coast of Libya, yet there was still no sign of compensation for these victims. For our inquiry, the extent to which the Government of the day were aware of the campaign to seek compensation is unclear. Nevertheless, I believe the UK Government missed a vital opportunity during this period of improved relations to act on behalf of IRA victims.

The situation is even more disheartening for victims when we look to the achievements of the US, French and German Governments in securing compensation for their citizens. Because of the French Government’s threat to veto the lifting of UN sanctions on Libya, Libya agreed to pay the French Government $170 million in respect of the 170 people killed following the bombing of UTA flight 772 in 1989.

The Committee also examined the exclusion of the UK victims of Gaddafi-sponsored terrorism from the terms of the US-Libya claim settlement agreement in 2008 as another missed opportunity for UK victims. Although the then UK Government claimed they had made representations to the US for the victims’ inclusion, we received no evidence of the level at which they had been made and with what force. It was explained that the US was unable to include UK victims in the agreement for several legal reasons, including that neither international law nor US law allows the US to espouse the claims of foreign nationals. However, this was contested during Committee evidence sessions, when it was suggested that that was not a matter of law but rather a matter of US Government policy. My primary concern, however, is the actions of the UK Government and I do not believe that, on the two occasions I have outlined, enough was done to put forward the claims of victims.

As the Gaddafi regime crumbled in 2011, the UN imposed financial sanctions on several individuals and entities involved in or complicit in the commission of human rights abuses in Libya. In September 2017, it was established that £12 billion of assets from the Gaddafi regime remained frozen within the UK’s jurisdiction. Currently, the UN resolutions, and the EU regulation which enforces them in the UK, provide no option for the UK Government to use frozen Libyan assets for the purposes of compensation. Disappointingly, there is no evidence that the UK Government raised the issue of
compensation at the point when the assets were frozen. This is particularly frustrating, as there are precedents for the use of frozen assets to compensate victims. For example, $225 million of former President Marcos's assets seized in Swiss bank accounts have provided reparations for victims of human rights abuses in the Philippines.

The Select Committee asked the Government to consider the use of frozen assets to compensate victims and to contribute towards community support. At the time, we were very disappointed by the Government’s rejection of recommendations made, and a number of Members, including myself and the new Chairman of the Select Committee, have continued to engage with the Foreign Secretary on this issue. However, to date, the Government have unequivocally ruled out the use of these assets for compensation and the potential use of our veto at the UN Security Council for the purpose of securing compensation. Today, we ask that the Government take a fresh approach to this issue and explore all options available to acquire the international authority to use a proportion of the Libyan assets frozen in this country to compensate victims and to set up support projects in the communities affected.

I do, of course, recognise that there are victims of Gaddafi in Libya, as well as in the UK, and I emphasise that the assets I refer to are the assets of those involved in human rights abuses in Libya and not those of innocent Libyans. The funds seized and frozen in this jurisdiction and across others have a role to play in contributing to the rebuilding of Libyan society and in helping the people who have suffered there to rebuild their lives. However, there is still a responsibility to deal with the legacy of the Gaddafi Government and the pain and suffering caused in the UK. I believe we should pursue these funds to do so.

I am realistic and recognise that since the fall of the Gaddafi regime Libya has faced insecurity and political instability, which has hindered progress on a number of issues, including compensation. I welcome the fact that, when the Foreign Secretary visited Tripoli in May and August last year, he raised this issue with the Prime Minister. To reply to the intervention from the hon. Member for North Down (Lady Hermon), I understand that that is the extent of what happened, although the Minister may correct me on that. I hope that this issue will continue to feature in the discussions that the Government have with the Libyan Government. I ask the Government to pursue this Government-to-Government approach where possible, rather than viewing this as a matter for individuals to deal with themselves. They simply cannot do so. The continued perseverance of the victims and their families shows strength and resolve, but they should not have to pursue this very difficult issue alone, and I ask the Government for their support in that.

When conducting our inquiry, we were repeatedly told by Ministers that it was difficult to move this issue on because there was no functioning Government in Libya to deal with, and as soon as one were established, a more determined approach would be taken. However, that has not happened, and the relatives have suffered for too long. That is why, supported by many hon. Members, we are suggesting today that the Government assess the origin of the frozen assets to determine how much of them were effectively lodged by the then Libyan Government, as opposed to being investments made by private individuals. We suggest that the Government then seek international permission to use those assets to compensate the victims of Libyan-sponsored IRA terrorism, to compensate their relatives and to support the communities where the attacks took place.

In the Prime Minister’s address to the Conservative party conference last October, she said that one of her main motivations in politics was to try to “root out injustice”, yet this example of a major injustice remains and rages. Now is the time to act.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. Colleagues will be aware that we have quite a short time for this debate. If they can stick to six minutes, I will not have to impose a time limit, but I will do so if we cannot get enough Members in.

3.52 pm

Kate Hoey (Vauxhall) (Lab): I thank the hon. Member for Tewkesbury (Mr Robertson) for his work on this issue not just as the previous Chair of the Northern Ireland Affairs Committee, but since then. I also thank him and the Backbench Business Committee for securing the debate, and I pay tribute to all the Members here who have put in a lot of work over a number of years on this issue. This issue is not party political; it is about justice, and the situation has gone on for far, far too long.

I am afraid that when I listened to the evidence as a member of the Northern Ireland Affairs Committee, it was absolutely apparent that something, somewhere—at the back of all this within Government—was stopping Governments of all persuasions from pushing to get compensation and from pushing the United Nations to change the way in which the frozen assets could be dealt with. It is tragic—the hon. Gentleman has outlined a number of cases—and we could go through all the evidence. I urge anyone listening or watching who wants to understand the issue more to read some of the evidence that was given to the Select Committee.

I want to add a bit more about one person—one of the victims—who has already been referred to and who submitted evidence to our Committee: Mrs Gemma Fitzpatrick. She and other people described going to the Foreign Office—they included people who had experienced the London docklands bombing, to which I know my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) will refer—to seek help. They even found someone who could speak Arabic. Time after time, they were told, “This is a private matter between you and the Libyan Government.” Now, all these years later, we have a new relationship with the Libyan Government,
and the Minister has just been there. I hope he will tell us very clearly what he said and what was said to him, because, on the basis of all the evidence, I do not believe that enough has been done.

I do not accept what has been said about the frozen assets. One of the criteria in the EU regulation is “humanitarian”. If the person whose case I have just presented—and some of the other people who are suffering now, and who are getting older and older—cannot be helped on humanitarian grounds, I really do not know what “humanitarian grounds” can mean. I hope that in a year or so, if we are no longer in the EU, we may be able to change that regulation so that those people can be helped.

It seems that the push that should have come has never come. Let me give a prime example. In 2013, the G8 came to Enniskillen in Northern Ireland, the site of one of the biggest and most appalling bombings, which happened on Remembrance Sunday. The victims—and some of the relatives of the people who died in Enniskillen are in the Public Gallery—had not been told that the Libyan Prime Minister was coming. They heard about it because they managed to find something out on the internet. They then asked if they could meet Zeidan—the Prime Minister—because they thought that that would be very helpful: here was someone who was against Gaddafi as well. They were refused that visit, but were told, “Don’t worry; he is meeting the leaders in Northern Ireland.” And who should one of those leaders in Northern Ireland be but Martin McGuinness, who probably knew all about how the Semtex had come from Libya. So all those opportunities were not given to them.

I say to the Minister, “You now have an opportunity.” The Labour Government and Tony Blair did absolutely nothing. He would not come and give evidence to the Committee. He gave evidence about the “on the runs”, issue, but not about this issue. We believe that there is a Committee. He gave evidence about the “on the runs” issue, but not about this issue. We believe that there is a Committee. He gave evidence about the “on the runs”, issue, but not about this issue. We believe that there is a Committee. He gave evidence about the “on the runs”, issue, but not about this issue. We believe that there is a Committee. He gave evidence about the “on the runs”, issue, but not about this issue. We believe that there is a Committee. He gave evidence about the “on the runs”, issue, but not about this issue. We believe that there is a Committee. He gave evidence about the “on the runs”, issue, but not about this issue. We believe that there is a Committee.

Lady Hermon: I am very pleased to be working with the hon. Lady on the Northern Ireland Affairs Committee. Does she agree that when the British Government, quite rightly, condemn terrorism unreservedly —and we have experienced far too much terrorism in the United Kingdom—they have a moral obligation to seek compensation for all the victims from the Libyan Government, to whom they now refer as a friend?

Kate Hoey: I absolutely agree. This is indeed a moral issue. I know that people will not like my saying this, but it sometimes seems to me almost as though there are two types of terrorism. There is terrorism, and then there is IRA terrorism. We now have to be so careful not to upset those who were once the leaders of what was the IRA. I really do think that the Government must show that terrorism is terrorism, wherever it happens.

We should not let the IRA off the hook on this. Yes, it was Libyan Semtex that was given to the IRA, but it was not Gaddafi who actually planted the bombs in Enniskillen and all those other places. I think it is very important to remember that.

I know that a number of other Members want to speak. Let me end by saying that this has gone on for far too long. There is £9.5 billion sitting in our banks, and if we and the United Kingdom Government cannot find a way to ensure that some of that money goes to those people who are, as we speak, ill and literally beginning to die off, I think that that is a shame on all of us here, and a shame on the Government. I hope that the Minister will respond in a positive way, because we have to move quickly on this issue.

3.59 pm

James Cartlidge (South Suffolk) (Con): It is a great pleasure to speak in this debate and I congratulate my hon. Friend the Member for Tewkesbury (Mr Robertson) on securing it. I was fortunate enough to persuade the Backbench Business Committee to grant a Westminster Hall debate on this matter in my name in September 2016. There have been developments since then, although I would not quite say that there has been progress. I want to focus on what has happened recently, which I believe means that the matter is even more pressing.

There is background to why I take such an interest in this matter. A constituent of mine, Charles Arbuthnot, is one of the campaigners; his sister was a 22-year-old WPC killed in the Harrods bombing in 1983. When I first heard about that, I wanted to help as a constituency MP, but the following really struck me about that case, and it is at the core of the matter. I found out—as finally admitted in correspondence to me from the Foreign Office—that a United States citizen who was one of the victims of that Harrods bombing was compensated to the tune of several million pounds by the Libyan Government, yet UK victims have to date received not a penny.

Indeed, I do not comment in any way on the following case and whether the money is justified, but I am bound to say that we heard today from the Attorney General that in the case of Belhaj and Bouchchar, two Libyan citizens whom we failed as a country—they suffered harm as a result of the actions of this state—the wife, Fatima Bouchchar, will receive £500,000 in compensation. We must look at that and ask how our own victims of Libyan-sponsored terrorism would feel about that. I hope we will get an answer to that from the Minister.

I want now to look at some of the things that keep moving this issue forward. With a group of MPs and Lord Empey, I went to see the Foreign Secretary in October last year, and he promised us in a letter by return that he would be “more visibly proactive” in standing up for victims. I know the Minister is supportive and wants to see progress on this, so my key question to him is what does “more visibly proactive” mean? Does that mean more engagement with the Libyan Government? We know there is great difficulty in terms of the credibility of that Government and the lack of firm government in Libya. Does “more visibly proactive” mean we will get more regular updates, and more discussion between our Government and the Libyans? That is what I want to know: what exactly does that phrase mean in terms of coalface action?

The other point concerns the issue of assets, as set out by my hon. Friend the Member for Tewkesbury. It is hard to ignore the fact that billions of pounds of Libyan money is held in this very city. One of the great features of this country is the reliability of our legal system,
and I understand why the Government would be reluctant to look at this issue and in any way undermine the reputation of the City by appearing to be weaker in terms of security to those who might want to put their money here. However, we must also recognise that any Libyan money is frozen under UN mandate, and there will be a veto in the UN Security Council for those assets to be unfrozen. That would be at the request of Libya once there is a stable Administration, and they would be asking us, in effect, to vote in the UN Security Council to unfreeze those assets. We have already heard from my hon. Friend how the French threatened to use their veto to favour their victims of Libyan terrorism, and it astonishes me that we would not consider at all in any sense using that veto.

In fact in that same letter from the Foreign Secretary, he said:

“At our meeting, we discussed the feasibility of the UK using its veto in the UN Security Council, when the time comes, to prevent the unfreezing of assets until the Libyans had agreed to pay compensation to UK victims. While I sympathise with the intention behind this approach, I need to explain that I believe it highly unlikely that any Foreign Secretary would wish to do this.”

I would like to think that he is not “any Foreign Secretary”; he is a Foreign Secretary who believes in standing up for Britain, and who says he will be “more visibly proactive”, and I would like to think that, “when the time comes”, there will be discussions about that possible procedure.

Lord Empey is bringing forward a Bill again. I sponsored it when it came to the Commons last time; the Government objected and it fell. We must give that Bill at least a chance to be debated in this Chamber.

I want to finish with a really important development in the United States. This concerns a piece of legislation I referred to in the Westminster Hall debate: the Justice Against Sponsors of Terrorism Act. It was vetoed by President Obama, as I was informed in that very debate, but I can tell the House that Congress overrode that and it is now an Act in America. In March 2017, 1,500 injured survivors and 850 family members of 9/11 victims filed a class action lawsuit against the Kingdom of Saudi Arabia. We have, then, a situation where a Libyan citizen is to receive compensation for what they experienced at the hands of the UK Government, while we know that an American citizen received compensation following the Harrods bombing and that the United States is empowering its citizens to take action against state sponsors.

We have to ask ourselves what the British Government are doing for British citizens slain on British soil by a terrorist organisation that was aided and abetted by a brutal regime. The scales of justice have yet to weigh in their favour.

4.5 pm

Mr Stephen Hepburn (Jarrow) (Lab): I start by thanking the hon. Member for Tewkesbury (Mr Robertson) for securing this important and timely debate. He has campaigned on this issue for years, as we know, and I pay tribute to him for bringing the motion to the Floor of the House.

I have been a member of the Northern Ireland Affairs Committee since 2004, so I know all too well the seriousness of the issue that is the subject of the motion, which I am happy to support. Parliament must never forget the victims of violence during a 30-year conflict that claimed the lives of some 3,600 people and left many more men and women injured and maimed, with their families suffering, too. Call it an insurrection, call it a civil war—call it what we want—but the troubles endured for so long in that corner of the United Kingdom, that corner of Ireland, and were so dreadful, spilling over into Great Britain, the Republic of Ireland and other countries, that the suffering continues today, and it would be irresponsible to shut our eyes and ears and turn our backs on those living with the legacy of that era.

Conor McGinn (St Helens North) (Lab): Like my hon. Friend, I fully support the efforts of the hon. Member for Tewkesbury (Mr Robertson) and others on this matter. Does he agree that when we are discussing the past we need to be sensitive, measured and factual, but that the Prime Minister’s comments yesterday upset many victims by inaccurately suggesting that the only legacy cases being investigated were those involving the armed forces and that wrongdoing by the armed forces could be overlooked? Facts and justice dictate otherwise. All victims are entitled to both.

Mr Hepburn: I agree with my hon. Friend, and I will cover some of that later.

I wholeheartedly endorse supporting victims, whatever their community, whatever their background, and that includes adequate compensation so that their lives might be improved and we do not add poverty to the physical and mental burdens that so many bear with determination and great fortitude. To be forced to sell your house to fund care does not just add insult to injury but is officially showing it does not care, which adds cruel contempt to injury. Those deserving proper compensation include victims of Libyan-sponsored violence—folk who had their futures torn apart by guns and bombs flowing from Colonel Gaddafi’s regime in Tripoli.

The previous Northern Ireland Secretary was wrong to brush off good people with a cause telling them it was a private matter. No, it’s not; it is a matter for this Government and this Parliament. Nobody is pretending that extracting reparations from a Libya falling apart will be easy, but it would cost the Government relatively little to throw their weight behind the campaign for justice, to fund victims now, and then to use the Foreign Office to try and force Libya to settle a debt of honour.

That said, I want no hierarchy of victimhood: special compensation for some but little or nothing for others. I want every victim looked after. In Northern Ireland, I have heard people blame Libya for weapons used, and others cite South Africa in the era of white rule and apartheid. Both have a case. Most, however, do not know the national source of the armaments that changed their lives forever, and they too are entitled to ask why the Government have abandoned them.

Back in the day, many of the settlements were pitiful, the maimed and traumatised being forced to accept insultingly small compensation that today leaves them on the breadline. Quite frankly, it is a disgrace, and I for one am delighted that they refuse to be out of sight, out of mind, and it is heartening to hear people today loudly take up the challenge to win them the justice so far denied to them. The more noise we make, and the louder we argue their case, the more likely we are to shame the Government into doing what is right. I suspect that, privately, the Minister who is here today knows that.
This is not a party political battle. It is not even a question of right and left in politics. It is a matter of right and wrong. Northern Ireland has been through a lot, and the future is brighter than the past, but regrettably the scandal of inadequate compensation is a stain that we still need to wipe clean. This is a fight for justice and, along with my colleagues, I pledge my support for that cause.

Andrew Rosindell (Romford) (Con): It is an honour to follow the hon. Member for Jarrow (Mr Hepburn) and I agree with every word that he has uttered this afternoon. I also congratulate my hon. Friend the Member for Tewkesbury (Mr Robertson) on getting this debate on to the Floor of the House at last. It is time that this long outstanding matter was given the full attention of Parliament, and I hope that our deliberations today will prompt Her Majesty’s Government to take the action that I believe is long overdue to ensure that all victims of IRA and INLA terrorism sponsored by the former Libyan regime are fully compensated for their loss and suffering.

I am sad to say that IRA terrorism, supported by Colonel Gaddafi’s regime, is the most significant example in recent times of British citizens being failed by their own Government when seeking justice for crimes committed against them. I believe that it is the paramount duty of Her Majesty’s Government to use their power to act to resolve this issue either by making provision for the seizing of the assets of the Gaddafi family in London or by awarding compensation now and fighting for the money to be reclaimed for the UK Government later. It is not an option for our Government simply to expect the individuals and families affected to seek justice directly from the Libyan Government on their own. When it comes to state-sponsored acts of terrorism, it is surely right that the responsibility to represent the victims should be carried by the United Kingdom Government, whose duty must always be to defend the rights of British subjects.

As chairman of the parliamentary support group established to help the victims of Libyan-sponsored IRA terrorism, I am pleased to have worked on a cross-party basis alongside many colleagues who are here in the Chamber today to champion the just cause of obtaining compensation for the victims of these dreadful crimes, which they rightly deserve. We all lived through IRA bombings in the 1970s, ’80s and ’90s in London, Belfast and other towns and cities throughout Britain and Northern Ireland, carried out with explosives used by the Libyan regime, yet so many years later, the victims have still not received the fair compensation that they rightly deserve.

As we have heard today, some of victims and families who have suffered this trauma are elderly or have passed away, and others might not have much longer to live, yet their justified claims have not been dealt with. As a result of these appalling and devastating events, which caused unimaginable damage and suffering, countless people died leaving widows and children behind or were left severely disabled and with life-changing injuries, yet nothing has happened to solve this issue. That is wholly wrong, and the Government really need to act.

I ask the Minister: how can it be justified that some victims have received compensation while others have not? We have heard that other countries, such as the United States of America, Germany and France have fought for their citizens and got the compensation that our successive Governments have failed to obtain. How can this not be settled while the victims and their families are still alive? It has to be sorted out soon. It is truly terrible that British victims have been treated so differently from American victims. Their Government stood by their victims, but our Government failed to stand by ours. That cannot be right. This approach of indifference must not carry on. It remains a fact that victims who happened to have an American, French or German passport were comforted by the fact their Governments had negotiated a compensation settlement on their behalf, yet British victims still have nothing.

Each time the issue of compensation for these deserving victims is raised, we have until now received the same empty response from successive Governments. Each time, we hear weak excuses for not pursuing a way of bringing this matter to a satisfactory conclusion for the British victims of terrorism. Each time, the long-hurting victims of the IRA and of Gaddafi’s regime listen in, only to be let down and left to wait indefinitely.

Time is running out, and successive Governments have both missed and avoided opportunities to bring justice to the victims. This cannot be allowed to happen one moment longer. To settle this now, our Government should at least consider a compensation scheme to be paid now, with the money claimed back from Libyan assets in due course, otherwise many victims face the prospect of never being compensated.

The former Gaddafi regime has £9.5 billion-worth of frozen assets in our capital alone. If not now, in the future a percentage of those assets should be used to compensate the victims. Let the British Government take the lead. They have the power to do so. Her Majesty’s Government must act decisively against the perpetrators and backers of these horrific crimes and deliver justice for all those whose lives were so cruelly cut short or who suffered injury or loss. The powers lie here, and we must give hope to all British citizens who have suffered at the hands of terrorism.

I truly hope it is not too late, otherwise the consequence of this missed opportunity to secure compensation will be a stain on our nation. Now is the time to correct past failures, to hold the enablers of terrorism to account and, once and for all, to right this wrong by giving the victims the justice and compensation they deserve.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I am grateful for the opportunity to make a brief contribution to this debate. It is a pleasure to follow the hon. Member for Romford (Andrew Rosindell), who has been so strong in his support for this campaign over so many years.

I am reassured to see the Minister in his place. He commands great respect on both sides of the House. He has heard numerous speakers say that he does not face a very high bar. We need a champion in the House, and many of us hope he will be able to deliver because we know he is supportive of the cause, to which he is sympathetic.
I congratulate the hon. Member for Tewkesbury (Mr Robertson) on leading the bid to secure this debate, and I thank the Backbench Business Committee for affording the time.

The South Quay bomb in 1996, near Canary Wharf in my constituency, signalled the end of the IRA ceasefire that had briefly prevailed. Two men died and 50 other people were injured. Hundreds of buildings were damaged or destroyed, many businesses were negatively affected and many, many people were made temporarily homeless.

I pay tribute to Jonathan Ganesh, who was badly injured in the blast. He set up and has been the driving force behind the Docklands Victims Association, which campaigns for redress for victims and their families. Inam Bashir and John Jeffries died, and some of the survivors had life-changing injuries—brain damage, blindness and paralysis—and are still awaiting appropriate compensation. Some, as has been mentioned, have died. We heard moving testimonies from my hon. Friend the Member for Vauxhall (Kate Hoey) and from the hon. Member for Tewkesbury.

The noble Lord Empey first introduced the Asset Freezing (Compensation) Bill in the other place in 2016. The Bill has since been passed by the Lords, and the hon. Member for Romford is now pushing for it to have a hearing in this House. Billions of pounds of Libyan assets have been frozen and gathering interest in UK bank accounts for years. I submitted a parliamentary question asking how much is frozen and how much interest has accrued and—this contradicts the hon. Member for Romford, with no disrespect—the Economic Secretary to the Treasury told me in February 2018:

“In 2011, the approximate aggregate value at the time the funds were frozen in the UK was £7.5 billion.

The current value of frozen assets held are in the process of being finalised as part of the ‘2017 Annual Frozen Fund Review’. However, at the close of business on 30 September 2016 they were approximately £11.7 billion.”

So we are talking about £7.5 billion in 2011 and £11.7 billion in 2016, with the funds having almost doubled in that period. Many of us do not accept the Government’s contention that these funds cannot be accessed. As we have heard, in the USA, following the Libyan Claims Resolution Act in 2008, US victims of Libyan-sponsored terrorism were paid substantial compensation. So the questions are, and have been for some time: can the funds be used, can the interest be used and what discussions have been taking place with the Libyan authorities? Although we all recognise the absence of a formal Government structure with which to deal, if discussions have been taking place, it would be good to know exactly where we are with those.

The second route we have been pressing, in the absence of legal access to the interest and frozen assets—and I understand that the Government have to recognise this—is at the UN, as outlined by the hon. Member for South Suffolk (James Cartlidge). At some point, the decision to unfreeze Libyan assets in various countries has to be taken and it has to be decided by a resolution of the UN. A number of us have been calling for the UK to threaten to use our veto on the Security Council against the release of these funds. I would be grateful if the Minister responded on that proposal to say why the Foreign and Commonwealth Office seems so set against it. Given the billions at stake, it might be thought to be in Libya’s interests to afford a small percentage of those assets to secure the bulk of the money it needs so badly to restructure the country.

This campaign has gone on for far too long. It is time for the UK Government to step up and conclude this sorry saga, whether by domestic decision, accessing frozen assets or diplomatic pressure. The victims deserve better.

4.21 pm

Bob Stewart (Beckenham) (Con): In 1999, “Bandit Country: The IRA & South Armagh” a book by Tony Horden, outlined in some detail the link between Libya and the Provisional IRA. The Provisional IRA’s campaign was given huge stimulus by the series of vessels full of weapons that arrived in places such as County Wicklow from the mid-1980s onwards. We are talking about missiles, ammunition and explosives. We make a mistake if we think it was just explosives, because people were killed by Kalashnikovs, rocket-propelled grenades and so on; they were killed by Libyan-inspired weapons.

I wish to outline one shipment, to give colleagues an idea of what was coming in.

In about October 1986, a deal was arranged between Thomas “Slab” Murphy of the Provisional IRA, who is pretty well known to people like me, and Nasser Ali Ashour, a Libyan intelligence officer and diplomat. It took about 30 Libyan soldiers two nights to load up a converted Swedish oil rig replenishment ship called the Villa. Some 80 tonnes of weapons and explosives were put about the Villa, including seven RPGs, 10 surface-to-air missiles, a huge number of Kalashnikovs and one tonne of Semtex H, which is an incredibly powerful plastic explosive. It is far more powerful than the normal fertiliser-based bombs used up until that time. The Villa slipped through international waters and landed at Clogga Strand in County Wicklow. From there, its load was spirited away to long-term hides and then secretly distributed to Provisional IRA active service cells for use to kill indiscriminately.

It is indisputable that the Gaddafi regime—let us not say Libyans—supplied weapons and explosives used by the Provisional IRA. It is indisputable that so many innocent people died as a result of Provisional IRA activity using Libyan-supplied arms and explosives. It is indisputable that other nations have ensured compensation for victims of Libyan-backed terrorism. It is indisputable that huge sums of Libyan cash are frozen in London’s banks—we have just heard that there is nearly £12 billion of it. Surely the Government can find a mechanism that can compensate victims, perhaps in advance for those who are getting older, sometimes living in agony or in poverty. Get some money to them!

James Cartlidge: My hon. Friend is making a fantastic speech. I was not even aware of the figures cited by the hon. Member for Poplar and Limehouse (Jim Fitzpatrick). Do those figures not suggest that when the request is made, we could return the assets to Libya with some kind of indexing so that it got the full value of its assets, and there would still be billions left with which it could pay recompense?

Bob Stewart: They do indeed—my hon. Friend is so right. We could use just a little of the interest. That is all it would take: just a little of the interest to compensate our citizens for this criminal terrorist activity. I am quite
sure that decent, honourable Libyan citizens would want that to happen. The Government have a duty to do something about this.

4.26 pm

Jim Shannon (Strangford) (DUP): It is always a pleasure to follow the hon. Member for Beckenham (Bob Stewart); he injects into these debates a level of knowledge from his years of service in uniform that, in all honestly, I do not believe anyone else could. I thank the hon. Member for Tewkesbury (Mr Robert) for securing the debate.

There is a sense of déjà vu about this debate, but that is not what it should be. It is my desire that this debate will be something completely different and that it will bring about action. That has been the thrust of what all Members have said in their speeches and interventions. I want this debate to result in a change of direction and decision, not simply in platitudes and sympathetic consideration.

It is my belief that the duty that we have to our citizens supersedes the duty that we have to others. It is important that we all stand together today against the tactics of terror that cost lives and resulted in so many innocent people having to endure life-changing injuries. The Democratic Unionist party stands shoulder to shoulder with the innocent victims of terrorism who are making their case for proper recognition and support.

I am sure that other Members have been sent a letter by a very worthy and notable police officer; I presume from some of the contributions that that is the case. He was severely injured in the 1983 Harrods bombing that was carried out by the IRA. To that brave man who has carried on serving Queen and country, through physical difficulty and emotional and mental torment, I say: we salute you. I thank him for his service. I have heard what he said in the letter that I received and that I suspect others received, and I agree with and appreciate every single word that he has shared. He epitomises the suffering of victims.

One of the most startling parts of the police officer’s letter was his recollection of seeing an American gentleman—I think the hon. Member for Tewkesbury referred to this earlier—being injured and then attended to after the explosion. This police officer has looked on as the American Government ensured that there has been a form of justice for that man. They saw the part played by Gaddafi and his minions and decided that there was a price to pay, and they paid that price to their citizens.

This debate is epitomised by the fact that two people who were seriously injured in the same IRA Semtex bomb explosion in the capital city of this United Kingdom are treated in such different ways. Why would any rational person deem it acceptable that an American victim is compensated by the Libyans, but the British victims of this atrocity are not? It is little wonder that this brave police officer and so many other innocent victims feel abandoned, worth less than the American tourist who happened to be visiting their city.

This British police officer ran towards the danger—that duty and sacrifice have not been properly acknowledged by a Government who I say with respect have failed adequately to make the case to the Libyan Administration. Along with others in this House, I pledge that I will seek justice for that police officer, his family, friends and colleagues, and for the innocent victims throughout this nation and this entire United Kingdom of Great Britain and Northern Ireland.

Lady Hermon: I am very grateful to the hon. Gentleman for allowing me to intervene.

Reflecting on the close working relationship between the Conservative Government and his party, the Democratic Unionist party, I have assumed that this very sensitive and very important issue for victims of Libyan-sponsored IRA terrorism has been raised in discussions by him and his colleagues with either the Foreign Secretary or indeed the Prime Minister. It would be very helpful if he assured us that that in fact is the case.

Jim Shannon: I am quite happy to assure the House that the matter has been raised at the highest level with the Prime Minister. Everyone can be assured that we are not behind the door when it comes to pushing this matter and when it comes to talking to the Minister. For the victims, families, friends and colleagues across the whole United Kingdom, this is something that has been said before, but it needs to be reiterated, “You are the victims and you deserve the best that we can give.” Government at the very highest level and all of us must do better for the innocent victims of terrorism.

I asked the Home Secretary at the end of March whether she would raise the matter of the unexplained wealth orders in respect of the members of the Gaddafi family and their Libyan associates who reside in the UK, or who claim ownership of the frozen assets in the UK. The response was not particularly helpful, so I think it is time that the Minister talked to the National Crime Agency, the Crown Prosecution Service and the Serious Fraud Office about finding some methodology on how to retrieve the £9.8 billion.

I say to the Minister, on behalf of every person affected by the evil deeds of evil men, aided and facilitated by Gaddafi and Libya, to make the change today and to step up for his constituents, for my constituents, for the people of the United Kingdom of Great Britain and Northern Ireland, and simply for the concept of justice and for no other reason than what is right.

Albert Einstein made many statements, and I will quote one today. He said:

“The world is a dangerous place to live; not because of the people who are evil, but because of the people who don’t do anything about it.”

I say to the Minister that I hope that will not be the case for this Government. It is the wish of our people that we do something about this matter. Government after Government have sat and felt sympathy for victims. Northern Ireland MP after Northern Ireland MP has been infuriated by the lack of movement, as have our colleagues in Great Britain. This issue will be raised again and again and again until every victim of Libyan-sponsored terrorism knows without doubt that this institution, this Parliament and this Government have done all they can to ensure that the men who were blown up, side by side, have parity of treatment from their separate Governments.

I am very conscious of time so let me just say that these people deserve our sympathy, our tears, our time and our promise to act. Their need dictates that we do no less; every fibre of our being should dictate that we
do no less; and our position certainly dictates that we as a Parliament do no less. Wrong was done. We cannot give back lives, mental health or physical wellbeing, but we must do what we can and what we have not done thus far. It is our duty to fight against evil and fight for the victims in this way. Minister, I look to you.

4.32 pm

Patrick Grady (Glasgow North) (SNP): I know that we want to hear from the Minister, so I will be as brief as I can be. I congratulate the hon. Member for Tewkesbury (Mr Robertson), for Romford (Andrew Rosindell) and for Poplar and Limehouse (Jim Fitzpatrick) on securing this debate, especially after the Westminster Hall debate in December 2017. Once again we have heard a range of very powerful contributions by Members who have constituents directly affected by this. What we have heard from all of them is that we are dealing with a question of justice and that there is a very real danger that justice delayed will become justice denied.

The Gaddafi regime at the time accepted that it shared some responsibility for the damage caused to so many lives by the IRA bombings. As we have heard, those affected from other countries have been able to secure compensation, but repeated delays by successive UK Governments have meant that the families and victims, maimed and devastated, are still waiting. That is despite the fact that a range of options has been put forward over the years. The proposal in today’s motion and in the Bill that has been promoted by Lord Empey and is now being introduced in this House provide a solution. If the Government are not willing to accept that, they should explain clearly why and put forward a viable alternative.

We have to hope that any decision made on the matter of compensation for victims is undertaken with the utmost sensitivity and with respect to the privacy and dignity of the victims’ families. I pay tribute to the campaigners, some of whom have heard about and some of whom I have received correspondence from—as all Members have. They all point out how time is passing. It is 20 years since the Good Friday agreement, and 10 years since the US Libyan Claims Resolution Act 2008. How long do these families have to wait for a resolution? If the UK Government fail to act on behalf of their citizens where it is possible to do so, they will have done an enormous and shameful disservice to the legacy of the victims of those terrorist acts. We heard from the hon. Member for Vauxhall (Kate Hoey) that these acts do provide humanitarian grounds for the Government to take action.

There is a range of different proposals and options available to the Government. Of course we have to respect that the situation in Libya is difficult and that there are diplomatic and legal processes that have to happen. As I said in Westminster Hall, we probably have to reflect on the Government’s role in the current situation in Libya. The fact is that they have spent considerably more money bombing Libya than they have ever done on trying to rebuild the country and bring about a stable settlement that would allow for negotiations to take place. But the idea that the families themselves should negotiate directly with the Libyan authorities is pretty concerning. It is difficult enough for the Government to do so, and these families are entitled to representation from their own Government. I am very keen to hear the Government’s response to the proposed Bill and to other suggestions. If they do not take those ideas, what opportunities do they see? Why do they think that families should otherwise be left to fend for themselves?

We have heard the Government say that they have to consider what support they need to offer victims of other terrorist attacks. Are we to assume that what we can and what we have not done thus far. It is our duty to fight against evil and fight for the victims in this way. Minister, I look to you.

4.37 pm

Fabian Hamilton (Leeds North East) (Lab): I congratulate the hon. Member for Tewkesbury (Mr Robertson) on securing this debate. I also thank every Member who has contributed with such knowledge and such sympathy for the victims of IRA bombings, especially those bombings that were supplied by explosives from Libya. This afternoon, we have heard many tragic and moving cases of victims that were supplied by explosives from Libya. This afternoon, we have heard many tragic and moving cases of victims who have still received no compensation, while they look around them and see other countries that have managed to obtain compensation for the victims of terror instigated by the Libyan regime under Colonel Gaddafi.

The hon. Member for Tewkesbury called on the Government to compensate victims now. He referred to similar cases and the role of the Libyan Government in the IRA terror campaign and quoted the comments of the former Labour Foreign Secretary, Jack Straw, on Libyan-sponsored terror. My hon. Friend the Member for Vauxhall (Kate Hoey) and I are in complete agreement with that. In fact, I led an Adjournment debate in this House on Foreign and Commonwealth Office support for victims of terrorism overseas. I have been visited by constituents who were caught up in Stockholm and in Tunisia. They were looking for basic and simple support from the Government, but found the Government lacking.

As part of my work with those people, I visited the Tim Parry Johnathan Ball Peace Centre in Warrington, which was set up in the memory of two young victims of the IRA bombing. It was one of the most moving experiences I have had as a Member of Parliament. The centre does fantastic work with victims of terrorist attacks—wherever those attacks happened and whatever the cause—and in bringing about reconciliation. Those support services should be extended to everyone who has fallen victim to a terrorist attack of some shape or form. And there will only be more. In a sense, all of us who were present in this Chamber last year were witnesses to terror visited upon Westminster.

The question of compensation is obviously more complicated, but in this instance there are clear opportunities and proposals to provide compensation, which has been awarded in other countries because of the efforts of those Governments. Now is the time for the Government to act. We have had a Select Committee report and a Westminster Hall debate. Today, we are having a debate on the Floor of the House, in which we have heard powerful testimonies from Members. Surely it is time for the Government to listen, to take action and, as all of us have said, to ensure that these victims get the justice they deserve.

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States citizen was eventually compensated by Libya for that same outrage. The hon. Gentleman wants similar legislation to that which has now been passed by Congress in the United States—the Justice Against Sponsors of Terrorism Act. It will be interesting to hear what the Minister says about that.

We then heard from my hon. Friend the Member for Jarrow (Mr Hepburn), who has been a member of the Northern Ireland Affairs Committee since 2004. He said that we must never forget the victims over so many years who are still suffering today. That was generally the theme of this debate. My hon. Friend the Member for Romford (Andrew Rosindell), if I may call him that, said that it was time for this matter to be debated on the Floor of the House and at last we were debating it. He also said that British citizens had been failed by their own Government. As always, his words were strong and very clear.

My hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) hoped that the Minister would be the champion of the campaign for compensation for these victims. He spoke about the IRA terror attack in his constituency in February 1996 and the effect that that had on victims. The hon. Member for Beckenham (Bob Stewart) said that not just explosives were supplied by Libya. He told us the story of the 80 tonnes of weapons on the Swedish ship, the Villa, including SAM missiles and rocket-propelled grenades. Of course, he should know better than anybody exactly how that happened.

Finally, we heard from the hon. Member for Strangford (Jim Shannon), who stands shoulder to shoulder with the innocent victims of terror and was appalled by the different treatment of victims on UK soil, with foreign victims treated somewhat better than domestic victims.

This debate is connected to a private Member’s Bill submitted in the other place by Lord Empey. According to Lord Empey, since the lifting of sanctions against Libya in 2004, there has been a series of missed opportunities to sort out this issue of compensation once and for all. The use of weapons supplied by the Libyan Government exacerbated the violence in Northern Ireland. However, the Government—not just this Government but previous Governments—have rejected many calls from several quarters, from cross-party groups to civil society organisations, to press the legitimate Government of Libya, if we can find out who they are, to compensate the victims.

There is no doubt that the Gaddafi Government sponsored terrorism in Northern Ireland—we have heard many examples this afternoon—and in other parts of the world. From 2004, the Libyan Government have been active in processes to compensate victims of terrorism in the United Kingdom by third parties that it sponsored, such as the IRA. However, since 2011, Libya has descended into civil war, which considerably complicates matters of trying to obtain compensation. The United Kingdom Government have made it clear that compensation for these victims of terrorism should be pursued through civil proceedings. That contrasts with the Governments of the United States, Germany and France, who have intervened forcefully and directly to try to obtain compensation for victims of direct Libyan terror. The problem is that Libya is in the throes of a civil war involving competing authorities. Right now, there does not seem to be an end to that conflict, nor a clear picture of who the legitimate authorities are.

In the 1970s and ’80s, at the height of the troubles, Libya supplied the IRA with vast quantities of weapons. Many Members, especially the hon. Member for Beckenham, have talked about how much was supplied. I understand that the amount of arms was at least 1,000 rifles, with appropriate ammunition, and at least 10 tonnes of Semtex, plus all the other destructive weapons that have claimed so many lives.

Bob Stewart: I intervene briefly just to remind the House that many people were killed not by explosives but through the use of the other weapons that Libya provided, and we will never be able to ascertain exactly who they were, either.

Fabian Hamilton: I thank the hon. Gentleman—the hon. and gallant Gentleman—for that important contribution.

Over 3,500 people died in the troubles over many decades. To quote the Northern Ireland Affairs Committee report of 2017:

“There is no doubt that the weapons, funding, training, and explosives that Colonel Gaddafi provided to the Provisional IRA over the course of 25 years both extended and exacerbated the Northern Ireland Troubles, and caused enormous human suffering.”

I want to read two further quotes. One is from the Minister, who said:

“There is no lawful basis on which the UK could seize or change the ownership of any Libyan assets. The UN Security Council resolution under which those assets were frozen, which the UK supported, is clear that they should eventually be returned for the benefit of the Libyan people. To breach that resolution would be a violation of international law.”—[Official Report, 14 December 2017; Vol. 633, c. 256WH.]

The second is from the hon. Member for Tewkesbury, the former Chair of the Northern Ireland Affairs Committee, who said:

“The UK Government cannot allow this litany of missed chances to continue. There needs to be direct dialogue with the Libyan Government, and if the situation there makes this impossible, the Government must begin the process of establishing a fund themselves.”

I would be interested to hear the Minister’s comments. I want to make it clear that Labour Members—like, I am sure, Members on both sides of the House—have nothing but sympathy and support for every single victim of IRA terrorism, especially when much of that bloodshed was assisted by Gaddafi’s Libyan regime.

In conclusion, I would like to ask the Minister a number of questions. First, is there incontrovertible evidence of the supply of up to 10 tonnes of Semtex and more than 1,000 rifles by the Gaddafi regime to the IRA? Secondly, have the Government compiled a list of victims of the IRA and their families who the Government have evidence were victims of Libyan-sponsored IRA terrorism—in other words, where there is a connection between the two? Thirdly, has the Foreign and Commonwealth Office spoken to whoever is currently recognised as the legitimate Government of Libya about the possibility of providing any compensation for the supply of explosives and arms to the IRA by the Gaddafi regime?

Fourthly, has the Minister had any contact with countries that have negotiated compensation deals with Libya on behalf of their citizens who are the victims of...
terrorism directly or indirectly perpetrated by Libya? Fifthly, is the Foreign and Commonwealth Office providing every possible assistance to the families affected by Libyan-sponsored IRA terrorism? Is there any more the FCO can do to help and support those families and victims, such as the provision of translation services or access to any evidence of the connection between the IRA and the then Libyan regime? Finally, can the Minister comment on what the hon. Member for South Suffolk said about the US victim of the 1983 Harrods bombing being compensated while his constituent is still waiting?

4.47 pm

The Minister for the Middle East (Alistair Burt): First, I thank my hon. Friend the Member for Tewkesbury (Mr Robertson) for securing the debate and echo the tributes paid to him by a number of Members for his long-standing commitment and work on this issue. I couple that with my thanks to all those who have taken part in the debate, many of whom have contributed to this issue over a period of time—for too long. Those include the hon. Members for Vauxhall (Kate Hoey), for Jarrow (Mr Hepburn), for Poplar and Limehouse (Jim Fitzpatrick) and for Strangford (Jim Shannon), my hon. Friends the Members for Romford (Andrew Rosindell), for South Suffolk (James Cartlidge) and for Beckenham (Bob Stewart), and the hon. Members for Glasgow North (Patrick Grady) and for Leeds North East (Fabian Hamilton).

This is a difficult debate. The ultimate justice and the basic facts are not in dispute among us. Without going into the answers to all the questions raised by the hon. Member for Leeds North East, which I will give him, the evidence is sufficient for us to speak today with confidence that Semtex and other materials supplied by the Gaddafi regime into Ireland and on to the mainland of the UK were responsible for IRA-based terror. The Government do not seek to dispute that in any way. There is also no dispute about the sympathy for victims, which has been echoed around the Chamber.

We are left with the complex issue of what to do. If this was straightforward and simple, it would have been sorted, but it is not. It joins one or two other issues that, in the past, have been considered almost too difficult to solve, and we may be getting into that sort of territory.

Let me say a little about the Government’s position, which will answer some of the questions raised, and then I will turn to some conclusions. At the end, I will give my hon. Friend the Member for Tewkesbury a moment to wrap up.

The Government have the greatest sympathy for the victims and their families, many of whom, as we have heard it eloquently put this afternoon, continue to live with the devastating physical and emotional consequences of these attacks. They are, quite understandably, determined to seek recom pense for what they have suffered. It is right that we in the Government do our utmost to help them seek a solution, and we will continue to do so.

Today’s debate is timely. As a number of Members are aware, I have recently been in Libya to fulfil, I trust, that part of the Foreign Secretary’s commitment on behalf of the FCO to do what we can to be more visible and to tackle things directly. In my discussions with the Libyan Ministers for Foreign Affairs and for Justice, I explained that although victims of some other Gaddafi-sponsored attacks, such as the Lockerbie bombing, had received compensation from the Libyan authorities, victims of Gaddafi-sponsored IRA terrorism had not. I told them that victims, their families and the UK Government feel incredibly strongly about that and that the Government attach great importance to finding a resolution.

Just in passing, to answer the question why other people got compensation, it is not correct to say that the UK Government did not and did not negotiate on behalf of victims. The Government helped to secure compensation for the victims of the Lockerbie bombing and for the family of WPC Fletcher. Compensation was possible in those cases because of evidence that the attacks were planned and executed directly by the Libyans. While we are not formally espousing the claims of victims of Gaddafi-sponsored IRA terrorism, we do continue to impress on the Libyan authorities the importance of making progress on this issue, and we have done that where we felt it was possible to do so.

I urged the Libyan Government to demonstrate that they were taking these cases seriously, and I suggested that they consider meeting victims and their representatives to discuss a possible way forward. Both Ministers I spoke to expressed sympathy with the victims and their families. However, they also spoke of the many urgent political, security and economic challenges that Libya is facing. They made it clear that this is a particularly difficult time to discuss legacy cases and compensation.

I can assure the House, as Members would expect me to, that I made it very clear, as I and other colleagues have in the past, that this is a priority for the UK Government. I have since written to both Ministers to reiterate that and to reiterate further the importance of a meeting between Libyan representatives and victims’ groups.

Jim Shannon: I am conscious when I ask the Minister a question that he is a Minister who wants to give us the answer. If a bombing takes place that involves Semtex, one conclusion would be that it was an IRA bomb and came from Libya. If somebody is shot with an AK-47, it would be a good conclusion to draw that that was also the IRA and that the gun came from Libya, or, if it was a rocket-propelled grenade launcher, that that came from Libya. The instruments of war indicate where these things come from.

Alistair Burt: I am not in a position in any way to dispute what the hon. Gentleman says. There may well be some issues, if we look at compensation as a whole, about distinguishing between different groups, but that is a slightly different issue. However, we are clear what we are talking about here: there is enough evidence, and there will be victims of Gaddafi-sponsored terrorism Semtex who we can all be very clear about.

Lady Hermon rose—

James Cartlidge rose—

Alistair Burt: I will give way, but I need to finish at 4.57 pm to give my hon. Friend the Member for Tewkesbury time, and I cannot make progress if I am constantly responding to interventions.
Lady Hermon: I am enormously grateful to the Minister, for whom I have the highest regard—he is a very good Foreign Office Minister. After his visit to Libya, he described the UK as “a strong partner and friend of Libya.” If Libya is a friend of the UK, what possible justification can there be for delaying compensation for one day more?

Alistair Burt: I do not think that the presently constituted Libyan Government is in any position to make a decision in relation to such compensation or to pay it. In answer to the hon. Lady’s question, that is one of the practical issues that we are dealing with at the moment.

James Cartlidge: I am delighted that the Minister is raising this issue. Did he discuss with Libyan representatives any aspect of the frozen assets issue? Did he remind them that, if those assets are to be unfrozen, that will require a resolution of the UN Security Council, in which we have a vote?

Alistair Burt: No, I did not raise that at this time. Our position on the frozen assets is known, but let me come back to that in a moment. If I may, I will make a little progress so that I can present some conclusions.

One or two colleagues raised the issue of visibility, which the Foreign Secretary has previously raised with the Prime Minister of Libya. As far as visibility is concerned, we will continue to raise the matter at the highest level with Libyan counterparts. However, I must say that my conclusion from such meetings and from meeting Ministers myself is that I just do not think they are in a position to deal with this or to put forward anything at present. I am not sure that we can put any timescale on this process, which means that we may have to think about it differently. Progress is likely to continue to be difficult and slow until the situation in Libya changes significantly for the better.

Hon. Members have raised the question of Libyan assets. I do not want to take too much time, but I must repeat that the advice I have been given is that there is no lawful basis on which the UK could seize or change the ownership of any Libyan assets, whether they are owned by the Gaddafi family or by the Libyan state. The UN Security Council resolution under which these assets were frozen is clear that they should eventually be returned for the benefit of the Libyan people, and to breach the resolution would be a violation of international law.

We set out our position on several of the issues that have been mentioned in the Government response to the Northern Ireland Affairs Committee report last year, and in substance the position has not changed, but let me look towards the future. The Government will continue to help victims engage directly with the Libyan authorities to pursue their campaign for compensation. The Foreign Secretary and I have previously met victims groups and the hon. Members who support them, and we remain committed to keeping them and the House updated on any developments.

In view of the likely absence of any progress within a reasonable timescale, I will now write to my colleagues across the Government to explore whether there is anything else the UK Government can do to support victims, their families and their communities. Hon. Members have previously suggested the idea of a community fund to provide assistance with physical, emotional and mental rehabilitation. I will discuss this with my colleagues across the Government and explore what further support may be available under existing Government schemes. I will strongly take into account what hon. Members have said about the way in which we must approach relationships with a friendly Government in Libya who are, at present, unable to respond.

In conclusion, I am quite clear that the concerns raised today have been raised for far too long. We have a long tradition in this House of eventually getting around to things which, under successive Governments, ought to have been done—Hillsborough, contaminated blood and the matter raised by the right hon. and learned Friend the Attorney General earlier this afternoon—and, except for the victims themselves, there are very few clean hands. I and my colleagues are being urged to do more, and I will do my best to keep open all channels of pressure on the Libyan Government, as we help them with stabilisation and for the future. With other colleagues in the Government, I will also try to be as imaginative as possible in dealing with the current situation and with requests for us to do more.

Mr Robertson: I have been in the House for 21 years, and I do not think I have ever before attended a debate in which I have agreed with every single word that has been said. There is such strength of feeling on this issue, and that is with speakers from four different political parties and, indeed, an independent Member, so the debate has been quite extraordinary.

I will quickly pick up on one or two issues mentioned by the Minister. He acknowledged that the Government intervened on the Lockerbie and Yvonne Fletcher tragedies. However, given that the Government accept that Libya has been involved with supplying arms and Semtex, I do not see why they cannot take up the individual cases we have discussed today. I cannot see the difference. The Minister said that a Libyan Government are not yet in place, but we have been told that for a number of years, and time is passing, so we have to find other ways forward. I thank the Minister for saying that he will explore other avenues throughout the Government.

On the assets, we understand the position, but the motion asks the Government to seek international agreement. Nobody is suggesting that we should break international law. The motion says that we should seek international agreement and co-operation on this issue, and I ask the Minister to take that back and discuss it with his Government colleagues. I am pleased that he is taking forward this issue, and I thank him very much for his response. Finally, all I would ask is that, as far as he can, he keeps me and other Members informed of the progress he is making.

Question put and agreed to.

Resolved.

That this House calls on the Government to take steps to obtain the required international authority to use a proportion of the assets of the Libyan Government that were frozen in the UK to compensate the relatives of people murdered and injured as a result of Libyan-sponsored IRA terrorism and to fund community support programmes in areas affected by that terrorism.
Crossrail Extension to Ebbsfleet

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

5 pm

Gareth Johnson (Dartford) (Con): I am pleased to have secured this debate and to have the opportunity to argue that the Government should prioritise the extension of the Crossrail line—now known as the Elizabeth line out of respect to Her Majesty—to Ebbsfleet in my constituency. That route was the original plan for Crossrail, so in effect I am asking for the job to be finished and for the line to be completed in accordance with that original plan.

Crossrail is a marvellous piece of engineering that stretches from Heathrow to Abbey Wood and connects London from west to east and vice versa. Ebbsfleet plays host to another wonderful technological achievement in High Speed 1, which connects London to Paris, Brussels and Amsterdam in a short period. It is the fastest rail service in the UK, and it is key to us pursuing the Government’s aim of a deep and special relationship with the European Union after Brexit. It is therefore absurd that those two great engineering achievements are separated by 10 miles—a gap that could be closed if we were to connect the two lines as previously envisaged. The two lines nearly merge further down the line at Stratford, but to travel on Crossrail and connect to High Speed 1, a passenger has to get off one train and walk a fair distance through a shopping centre to catch the second train. We all believe in connectivity in our transport network, but that example highlights the complete opposite.

High Speed 1 at Ebbsfleet, where the new garden city is being built, is currently denied a direct connection with Crossrail. That needs to change not just for the benefit of future generations, but for reasons of basic common sense. After Crossrail is completed, every county surrounding the capital will directly benefit from that project, with one exception—Kent. Despite not having any underground stations, we were chosen to be the county to miss out, and that simply cannot be right.

There is huge potential for economic growth east of London and for brownfield sites to be utilised, but the lack of connectivity holds back existing opportunities. There is also a clear demand for more capacity on rail services in north Kent. The number of people using Dartford station has risen by a third in the last 10 years, and the numbers using Ebbsfleet have more than doubled in the time that High Speed 1 has been operational.

The Thames Estuary 2050 Growth Commission is due to provide the Government with its recommendations for growth in the area—I believe that will take place at the end of this month—and I hope that, even at this late stage, it will include the points raised in this debate in its submissions. I pay tribute to the work the commission is undertaking to assist in this area. I also pay tribute to the tireless work of Dartford Borough Council, Bexley Borough Council and Kent County Council. Hon. Members across the House have worked with those authorities, in a cross-party way, to try to ensure that we get Crossrail extended out to Ebbsfleet.

Teresa Pearce (Erith and Thamesmead) (Lab): I thank the hon. Gentleman, my constituency neighbour, for giving way. Bexley Borough Council, which he knows very well, has a growth strategy for the north of the borough, where the Crossrail extension would come through. The extension is absolutely integral to the pace and change of the growth strategy and to ensure we have housing for Londoners to deal with the overspill coming out from the middle of the city.

Gareth Johnson: It was an honour to serve for years with the hon. Lady on Bexley Borough Council. She is absolutely right. The Government try to identify locations where we can develop on brownfield sites and they are in abundance in this area. The same happened when the Labour party was in government. The infrastructure needs to be in place and a crucial part of that is Crossrail itself. If Crossrail extends to Ebbsfleet, providing the transport link that is currently missing, golden opportunities in north Bexley, Dartford and Gravesend could come to fruition.

Sir Michael Fallon (Sevenoaks) (Con): There would be a wider benefit to what my hon. Friend is proposing for Kent as a whole. For example, it would provide Kent with direct access to Heathrow, which it currently lacks. That would relieve congestion considerably in all parts of Kent, not least on the M25.

Gareth Johnson: My right hon. Friend and constituency neighbour makes a very important point. I read today that some 2 million journeys are carried out from constituencies in the south-east, such as Sevenoaks and Dartford, to Heathrow. A large proportion of those 2 million journeys would be unnecessary if there was a direct connection between Ebbsfleet and Heathrow airport. It is possible to go from Heathrow airport right across the capital to Essex and various other counties around London, but it is not possible to connect with HS1 at Ebbsfleet. It is complete madness to have that gap. It needs to be filled.

It is for that reason that I am reluctant to refer to this proposal as an extension, despite the title of the debate, because this is more about finishing the job that was started and completing the original plans for Crossrail. This debate is about completing the job. It is nothing short of ludicrous for the two greatest technological achievements in rail infrastructure, Crossrail and HS1, to not connect with each other. There is a gap here: 10 miles of missed opportunities; 10 miles that could lead to the transformation of the area and boost the economy in a way that would far outweigh any implementation costs.

I will conclude my comments there, because I know that other Members wish to speak. I will simply say that for all the time the gap is there, in my mind the Crossrail project will be incomplete.

5.8 pm

David Evennett (Bexleyheath and Crayford) (Con): I congratulate my hon. Friend the Member for Dartford (Gareth Johnson)—my constituency neighbour—on securing this important debate. It is a pleasure to join him in helping to highlight the potential benefits of extending Crossrail to Ebbsfleet.

For years, the borough of Bexley has suffered from a terrible rail service. Delays, cancellations and poor excuses have become the norm. The situation is made worse because Bexley is one of the only London boroughs
that does not have an underground service. We are at a
great disadvantage, because we have only the one service,
Southeastern, that goes through the borough. When
there are problems with Southeastern, which as the
Minister knows occur far too often, there is no viable
alternative to travel to central London other than taking
a bus to a neighbouring borough to catch the tube or
the docklands light railway.

Today, we are specifically discussing the potential
extension of Crossrail to Ebbsfleet, which is a campaign
I strongly support. Locally in my borough and my
constituency, there is huge support for a project that
finishes the job. People want better rail availability and
choice.

Extending Crossrail to Ebbsfleet not only improves
the opportunities for commuters to get into London,
but provides a great opportunity to improve the whole
area in so many different ways. My hon. Friend the
Member for Dartford has highlighted the extension
into Essex and the extension into west London. The
only part of London that does not benefit from either
of the two huge railway infrastructure projects that he
highlighted is, of course, our area of south-east London
and north-west Kent.

I say to the Minister that it is great news that Crossrail
is coming to Abbey Wood in the London borough of
Greenwich, but that does not provide a viable alternative
for Bexley residents, nor—it is very important for him
to take note of this—does it provide the opportunity for
development in Bexley, as well as in north-west Kent.

Teresa Pearce: Does the right hon. Gentleman agree
that this is about not just housing development, but
business development? In Abbey Wood, which is in
the middle of my constituency, a major new supermarket
has opened ahead of the opening of Crossrail. That has
happened completely because of the Crossrail effect.

David Evennett: Indeed. I am delighted to see the
hon. Lady here, showing that we have cross-party support
for what we are discussing—and she is absolutely right.
I was going to come on to that, but she is ahead of me.
This is not just about new homes; it is also about
businesses and jobs, which are vital for our local economy.

Estimates from the C2E—the Crossrail to Ebbsfleet—
campaign suggest that extending Crossrail to Ebbsfleet,
as was initially intended, would create an additional
17,500 jobs in Bexley alone, as my hon. Friend the
Member for Dartford said. The C2E campaign also suggests
that along the whole route, the extension would bring forward
a possible 55,000 new homes. In Bexley alone, it is
estimated that this would accelerate the provision of
30,000 new homes across our borough, directly unlocking
16,000 of these. This is not just a railway, but a regeneration
and an opportunity to develop—to get jobs, homes and
businesses.

As both my hon. Friend and the Minister will be
aware, Crossrail was originally intended to be extended
through Bexley and out into Kent. Disappointingly,
that was not taken up, but now is the opportunity to
do that and make something really worthwhile. The
arguments that my hon. Friend has presented today,
assisted by interventions from my right hon. Friend the
Member for Sevenoaks (Sir Michael Fallon) and the
hon. Member for Erith and Thamesmead (Teresa Pearce),
highlight the compelling reasons to do just that. By
completing the original plans, there is a unique opportunity
to secure major new housing and growth between Abbey
Wood and Ebbsfleet. We should jump at this opportunity,
because I believe that without action, poor transport
will continue to hold back our area in development,
regeneration and improvement. We cannot accept that
and I hope that the Minister takes that on board. It is so
important to south-east London—as a Member in Bromley,
he knows exactly the situation.

We are going to be in post-Brexit Britain. We need to
be proactive and never more than on vital infrastructure
projects, which will give us the cutting edge in our area
to develop, go forward and achieve for our constituents
and our country.

5.13 pm

The Minister of State, Department for Transport (Joseph
Johnson): I congratulate my hon. Friend the Member for
Dartford (Gareth Johnson) on securing this debate about
the proposal to extend Crossrail to Ebbsfleet. At the
outset, I pay special tribute to my right hon. Friends the
Members for Bexleyheath and Crayford (David Evennett)
and for Old Bexley and Sidcup (James Brokenshire),
who is not here this afternoon, as well as the hon. Member
for Erith and Thamesmead (Teresa Pearce), for their
consistent championing of the—well, we are not allowed
to call it the “extension” to Ebbsfleet, but the “completion”
of the Crossrail project. They have worked very closely
for a long time alongside council leaders, some of whom
are in the Public Gallery this afternoon, from Bexley—
Teresa O’Neill—as well as from Dartford and Kent.

Across the UK, the Government are investing record
amounts to improve the experience of rail passengers.
State-of-the-art infrastructure, new and longer trains,
smart ticketing, improved information and updated wi-fi
are all contributing to the creation of a modern, 21st-century
railway that will drive our economic prosperity—and
drive it into the post-Brexit period evoked by my right
hon. Friend the Member for Bexleyheath and Crayford
a few moments ago.

Crossrail is a key part of that investment. The project
is now over 92% complete, and, as Members have
recognised, it will have a truly transformative impact
on the public transport network, not only in London but
across the south-east and beyond. When it is fully open
in December 2019, the railway will deliver a 10% increase
in London’s rail capacity, carrying up to 200 million
passengers a year and with up to 24 trains per hour
running at peak times. The new line will bring an extra
1.5 million people to within 45 minutes of London’s key
business and entertainment districts. It will link major
employment, leisure and business districts—Heathrow
airport, the west end, the City and Canary Wharf—which
have never been linked in that way before, enabling real
and valuable economic development to take place.

I want to take this opportunity to reflect again on the
magnificent scale of what is being achieved with Crossrail:
not only the surmounting of engineering and technical
challenges to build the first new railway for a generation,
but the immense economic impact that the project has
had, not just in London but throughout the UK.
Companies of all sizes across the country have won
contracts for work on it, including the construction of
70 brand-new trains at Bombardier’s historic plant in Derby. Overall, it is supporting up to 55,000 new jobs, creating more than 1,000 apprenticeship opportunities for our young people and adding up to £42 billion to the UK economy. The sheer ambition of this project cannot be overestimated: neither can the great legacy that will be created by its use of innovative technologies, and the vast skills capital that it will leave in its wake, to be passed on to other infrastructure projects that are planned across the UK.

The Elizabeth line—as my hon. Friend the Member for Dartford said, that is how it will be known from later this year—will have a transformative effect on travel in south-east London and beyond when it opens in December. Journey times to and from central London will be significantly reduced, wider regional connectivity will improve considerably, and I anticipate that new travel patterns will emerge. Indeed, I expect that a significant number of passengers will wish to transfer to the Elizabeth line at Abbey Wood.

My hon. Friend asked about the current route of the Elizabeth line and whether it could be extended to Ebbsfleet. The Department for Transport, which sponsors this project jointly with Transport for London, has received many queries over the years about whether the route could or should be extended beyond its western, eastern or south-eastern arms, or whether, indeed, entirely new branches should be developed. As Members will know, the current 60-mile route runs from Reading in the west to Shenfield in the east and Abbey Wood in the south-east, with a spur that will also serve Heathrow airport terminals 2,3,4 and 5 when it is fully open in December 2019. The Elizabeth line, which will pass through 41 stations—10 of which are newly constructed—was developed over a period of many years, and it has been planned to maximise benefits to passengers as well as ensuring that the timetable is operationally viable. It is therefore crucial for any discussion about extending the current route to be placed in the context of the transport improvements that are already planned for the area. Let me say a few words about those.

In respect of the specific issue of an Ebbsfleet Crossrail extension, my hon. Friend is aware that a detailed review of the business case was undertaken in 2004. It recommended that the south-eastern branch should go only as far as Abbey Wood, and that was reflected in the Crossrail Act 2008.

I am aware, however, that Transport for London is currently working with local authorities in London and north Kent as part of the Thames Gateway Kent Partnership to prepare a strategic outline business case. My understanding is that this will look at options to improve transport connectivity and capacity to support the development of new homes and jobs in the area—the regeneration of the area to which my right hon. Friend the Member for Bexleyheath and Crayford referred. I pay tribute to the work in particular of the Crossrail to Ebbsfleet campaign and council leaders Teresa O’Neill and Jeremy Kite, and I look forward to seeing the outputs of this work and to the Department receiving the full strategic outline business case in short order.

I further acknowledge the work undertaken to develop the regeneration aspirations for Ebbsfleet and the wider area by the Thames Estuary 2050 Growth Commission.

I understand the commission is shortly due to publish, in this case its report on the vision for the development and growth in the region.

Gareth Johnson: I hear what the Minister says about the decision made not to extend out to Abbey Wood, but does he agree that this part of north Kent has changed significantly since that decision was made? We have thousands more homes and greater pressures on our rail system than at that time, and the pressure on housing generally is greater now. We also had traffic problems with the Lower Thames crossing, and the issues relating to Heathrow airport that I mentioned and people getting from north Kent to Heathrow. All those issues have evolved over this period, strengthening the arguments for extending Crossrail to Ebbsfleet.

Joseph Johnson: I do indeed recognise that that part of north Kent has changed considerably over the decade since the passage of the Act I mentioned, which is why it is important that we are about to receive this new work from the Thames Gateway Kent Partnership looking at overall growth prospects for the region, and are also about to receive the fully developed strategic outline business case. This will enable the Department to take a fresh look at the case for extending Crossrail to Ebbsfleet, but, as a Member who also represents a constituency in that part of the world, I share my hon. Friend’s frustration and recognise that there are aspirations that are currently unmet, and he has made a strong case for the extension today.

In the context of these plans for housing-led regeneration of this part of north Kent, I also recognise that there is renewed interest in discussions about the transport infrastructure and capacity improvements that would be required to unlock development. I am sure my hon. Friend welcomes the future enhancements to the strategic road network with the planned A2 junction improvements at Bean and Ebbsfleet. These improvements will support economic and housing growth in north Kent, including Ebbsfleet Garden City, and demonstrate the Government’s commitment to invest in transport infrastructure.

I acknowledge that many of these recent discussions have focused on the proposal to extend the south-eastern arm of the Elizabeth line to Ebbsfleet and that the extension proposal was included in the Mayor of London’s transport strategy published in March. The Department’s current priority is the delivery of the Elizabeth line. Any extension to the route would require a strong business case and need to be technically feasible, and include the identification of funding.

As my hon. Friend will understand, any request for Government support would need to satisfy the value-for-money and affordability criteria and be consistent with the new process we announced in March for the development and delivery of rail enhancements. The rail network enhancements pipeline is designed to ensure that future rail projects are properly planned and scrutinised to deliver maximum value and benefit to rail users and taxpayers. Alongside this pipeline, we have launched a call for ideas for market-led proposals to create a new tier of investment in rail infrastructure from the private sector.

I shall now describe some of the improvements already planned for rail in the south-east. From later this month, new Thameslink services will link Woolwich, Abbey Wood and north Kent to Blackfriars, Farringdon and
St Pancras for the first time, which, together with the Elizabeth line from December 2018, will deliver faster, more convenient journeys for passengers and improved connectivity.

I also want to draw attention to the work the Department is doing with regard to the new Southeastern franchise due to launch from April 2019. The Southeastern rail franchise public consultation document, also published in March 2017, set out ambitious proposals to transform the train service for passengers on the Southeastern network. Our specification for the new franchise is expected to be delivered by no later than December 2022 and will provide better and more reliable journeys and more room for passengers, integrating seamlessly with future Thameslink and Elizabeth line services. I have no doubt that this will transform travel across London, Kent and parts of East Sussex and will be delivered through a brand-new collaborative partnership between the next operator and Network Rail.

In addition, longer, higher-capacity trains will provide space for around 60,000 more passengers in the morning rush-hour. Metro-style trains will operate on suburban routes in south-east London and north Kent, similar to those on other high-capacity lines into London.

The Government’s vision for stronger performance and reliability will be delivered through a brand-new collaborative partnership between the next operator and Network Rail. This will deliver shared incentives to ensure that both organisations work together to put the passenger first and to deliver a more reliable, efficient railway. The new franchise also recognises the step change in connectivity that the Elizabeth line to Abbey Wood will offer Southeastern passengers. Bidders must provide regular services to and from Abbey Wood and deliver innovative pay-as-you-go ticketing.

In summary, I hope I have demonstrated the Government’s commitment both to rail improvements and to wider regeneration in this area of the south-east.

Teresa Pearce: I have listened carefully to the Minister. Would he not accept that south-east London is massively underserved by transport compared with the rest of London and that stopping at Abbey Wood does not help Bexley at all?

Joseph Johnson: I agree that south-east London is dependent on the Southeastern franchise and that particular train operator. It is unique in not having competition. I would not wholly agree, however, with the hon. Lady. Lady’s point about Abbey Wood or with the early point that Kent will not benefit at all from Crossrail. As my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) said, it will benefit, to the extent that it will have increased connectivity at Abbey Wood, with options to connect Southeastern services directly to the Elizabeth line.

David Evennett: Yes, a new franchise would be great and is desperately needed—at the moment it is so bad it cannot be believed—but the problem is the bigger picture: investment, regeneration and getting more homes, jobs and businesses into the area. That cannot be done just by improving a rail service that is inadequate at the moment.

Joseph Johnson: My right hon. Friend has long been a powerful champion for the completion of this extension and is continuing to be a strong advocate for it. All I can say is that the Department is looking forward to receiving the work of the commission and the full strategic outline business case so that we can give this proposal the fullest possible consideration.

In conclusion, I hope I have demonstrated the Government’s commitment to rail improvements and the wider regeneration in this area of the south-east.

Question put and agreed to.

5.29 pm

House adjourned.
Friday 11 May 2018

The House met at half-past Nine o’clock

PRAYERS

The First Deputy Chairman of Ways and Means took the Chair as Deputy Speaker (Standing Order No. 3)

Nigel Huddleston (Mid Worcestershire) (Con): I beg to move, That the House sit in private.

Question put forthwith (Standing Order No. 163), and negatived.

Parental Bereavement (Leave and Pay) Bill

Consideration of Bill, as amended in the Public Bill Committee

Schedule

PARENTAL BEREAVEMENT LEAVE AND PAY

9.35 am

Kevin Foster (Torbay) (Con): I beg to move amendment 1, page 2, line 11, in the schedule, leave out ‘parent’ and insert ‘primary care giver’.

This amendment would widen the provision to include those who are not ‘parents’ but were the main carer of the deceased child.

Madam Deputy Speaker (Mrs Eleanor Laing): With this it will be convenient to discuss the following:

Amendment 2, page 2, line 11, after ‘parent’, insert ‘or grandparent where they were the primary carer of the child.’

This amendment would widen the provision to include grandparents where they were the primary carer of the deceased child.

Amendment 3, page 2, leave out line 22.

This amendment would remove the ability to set the period within which the leave may be taken.

Amendment 4, page 2, line 25, leave out ‘two’ and insert ‘four’.

This amendment would increase the minimum time off from work from two to four weeks.

Amendment 5, page 2, leave out lines 26 to 28.

This amendment would remove any deadline for when the leave must be taken.

Amendment 23, page 2, line 27, leave out ‘56 days’ and insert ‘52 weeks’.

This amendment would extend the period of time within which parental bereavement leave must be taken from 56 days to 52 weeks.

Amendment 6, page 3, line 1, leave out ‘child’ means a person under the age of 18.

This amendment would mean that parental bereavement leave would apply to a child of any age, not just those below the age of 18.

Amendment 7, page 3, line 11, after ‘absence,’ insert ‘save for remuneration’.

This amendment would make clear that the employee is not entitled to contractual pay for the leave.

Amendment 8, page 3, line 18, leave out ‘a job of a kind prescribed by regulations,’ and insert ‘the job in which they were employed before their absence’.

Amendment 10, page 4, leave out lines 8 to 10.

This amendment would remove the requirement to give any notice to take leave.

Amendment 9, page 4, line 8, after ‘about’ insert ‘reasonable’.

This amendment would create a requirement of giving a reasonable notice period before taking the leave.

Amendment 12, page 5, line 9, leave out ‘parent’ and insert ‘primary care giver’.

This amendment would widen the provision to include those who are not ‘parents’ but were the main carer of the deceased child.

Amendment 13, page 5, line 11, leave out from ‘employer’ to end of line 12.

This amendment would remove the qualifying period to make the pay element a day one right.

Amendment 15, page 5, leave out from the start of line 40 to the end of line 2 on page 6.

This amendment would remove the requirement to give notice, and how to give notice in order to receive parental bereavement pay.

Amendment 16, page 5, line 44, after ‘which’ insert ‘reasonable’.

This amendment would require the individual to give a reasonable amount of notice for taking bereavement pay.

Amendment 17, page 6, leave out lines 1 and 2 and insert—

“(3) Employers must accept notice given in writing, face to face, by telephone or through a third party on behalf of the bereaved parent.”

This amendment would require the employer to give notice in writing, allowing this to be given in conversation or through a third party on their behalf.

Amendment 18, page 6, leave out from start of line 48 to end of line 2 on page 7.

This amendment would remove the liability of HMRC to pay statutory bereavement pay.

Amendment 19, page 7, line 13, leave out ‘two’ and insert ‘four’.

This amendment would increase the payment for bereavement pay from a minimum of two to four weeks.

Amendment 20, page 7, leave out lines 18 to 21.

This amendment would remove the requirement for bereavement pay to be paid within at least 56 days.

Amendment 21, page 9, line 18, leave out ‘child’ means a person under the age of 18.

This amendment would mean that parental bereavement pay would apply to a child of any age, not just those below the age of 18.
Amendment 25, page 9, line 18, leave out from ‘a’ to end of line 20 and insert ‘son or daughter of any age’.

This amendment would change the definition of “child”, for the purpose of parental bereavement pay, to a son or daughter of any age.

Kevin Foster: It makes a change to be called first in a Friday debate. [Interjection] Yes, or ever. I usually have to wait for at least three or four hours before being called.

First, let me make it clear that I fully support the Bill promoted by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), and I have no intention of attempting to make a monumentally long speech to talk it out. However, my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) and I wish to test some of the provisions, particularly in the schedule. We do not propose amendments to the two main clauses; our amendments are only to the schedule, as we would like to hear a bit more about some aspects of it and to test the reaction of my hon. Friend the Member for Thirsk and Malton and the Minister to some of our amendments.

This is a simple Bill; it has just two clauses, one of which is the title clause. However, the attached schedule requires further debate and scrutiny on the Floor of the House. I should make it clear that no employee in the country would ever want to benefit from the Bill’s provisions, as it addresses what would undoubtedly be one of the most difficult periods in anyone’s life; all parents and grandparents will want to see their children and grandchildren live long and happy lives. However, it is to be welcomed that the House is talking about this subject today, and we hope that the Bill will receive its Third Reading and head off to the other place. The Bill demonstrates how MPs can in this place draw on their personal experiences to make a difference for others who might have to deal with similar experiences. I accept that some of the issues we will be discussing today might have been debated in the Bill Committee, but, sadly, I was not lucky enough to be selected to serve on it, which is why I raise them on Report.

In the interests of brevity, I will talk about my amendments in groups, according to the themes they cover, rather than go through each one individually. Also, some of the amendments work in combination to offer distinct packages that address particular themes, and in these cases it would not make sense to pass one amendment but not another, as that would create odd law.

The amendments cover four distinct themes. The first deals with people who act as the parent but are not the biological parent, such as a primary carer who has picked up the reins when things go wrong; that is addressed by my amendments 1 and 2 and amendment 12 from my hon. Friend the Member for Mid Dorset and North Poole. The second theme is the issue of when leave may be taken, given that some people might wish to work in the immediate aftermath of losing a child but subsequently find that grief requires them to take time off at a slightly later date; not everyone reacts in the same way. This area is addressed by my amendments 3 and 5, amendments 22 and 23 in the name of the hon. Member for North Ayrshire and Arran (Patricia Gibson) and amendments 15, 16, 17 and 20 from my hon. Friend.

The third theme involves the requirement to give notice and, given the nature of this provision, my proposal for a requirement to give reasonable notice instead. This is covered in my amendments 9, 10 and 11. The fourth theme relates to the cut-off created by the 18th birthday and the proposals to change the definition of a child so that the provisions refer not only to sons and daughters under the age of 18. This is covered by amendments 6, 24 and 21. Finally there are three more amendments that I will speak to specifically: amendments 4, 7 and 8.

I shall start with the first theme. Sometimes, the person acting as a parent is not the biological parent. They could be a primary carer who has picked up the reins when things have gone wrong. Amendments 1, 2 and 12 cover this area. I think that we would all agree that parenting is not just about biology. It is not just about who has physically created a child, as we see with egg and sperm donor births. My concern is that if the Bill is passed without amendment to the schedule, there could be too much focus on the parent, rather than on the person who has done the parenting by looking after the child, bringing them up and loving and caring for them. The amendments will make it clearer that this is about the primary care giver—the person who is acting as the parent. I would be interested to hear my hon. Friend’s views on this and those of the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Watford (Richard Harrington). We would not want to get into a situation where the person or couple who were acting as the parents could not take time off; yet an estranged biological parent could do so.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I, too, have put my name to this amendment, and I intend to speak to it in a few moments. The way in which the Bill is drafted means that the Minister will lay regulations in due course, but should we not take this opportunity now to express our views on the Floor of the House about what the definition of a bereaved parent should be? Of course we trust Ministers to get this right, but it is for us as well to put forward what we think would be the appropriate definitions—hence these amendments.

Kevin Foster: Absolutely; I could not agree with my hon. Friend more. I accept that the Bill has had a good run in, particularly due to the valiant efforts of my hon. Friend the Members for Colchester (Will Quince) and for Eddisbury (Antoinette Sandbach), but it is important to examine these questions on the Floor of the House, especially when we are dealing with Private Members’ Bills. They are slightly different from Government Bills, which might have had lengthy periods of consultation in Green Papers and White Papers, perhaps following a manifesto commitment. This Bill also has a manifesto commitment behind it, but I shall not refer to that further because it already enjoys cross-party support. All the parties represented in the Chamber today strongly support creating this type of provision.

This is about being very clear, so that anyone seeking to interpret this legislation at a later date will know what our intention was in passing it. We also want to be
clear what is in the Minister’s mind on this subject. Who exactly is the parent under this legislation? Someone sitting at home listening to this might wonder what on earth this discussion is about. Actually, it is about ensuring that the legal definition involves not only the biological parents but those who are effectively parenting and looking after a child as though they were the parent at the sad time of that child’s death.

This brings me to my own experience in local government in Coventry, where we had child protection services. Often, a way to avoid a child going into care was for a relative, particularly a grandparent, effectively to become the parent. The child would be placed with them to keep them within the family and maintain some parental contact, without being formally adopted. I accept that, under the current wording of the Bill, someone is legally the parent if there has been a formal adoption process. There should be no confusion about that.

I want to ensure that the regulations will cover a situation in which a grandparent, uncle or aunt—or even a much older brother or sister—has stepped into the parent’s shoes to act in absolutely the right way. In the child protection context, that sometimes involved someone giving their younger brother or sister a chance to stay out of an institution. I want someone who has taken on that role to be able to benefit from this type of provision. They will have developed exactly the same bonds of attachment as a parent and, sadly, they will also have had to deal with the formalities following the death in the same way that a parent would normally do. I want the Bill to cover them as well.

9.45 am

We need a clear understanding of how such circumstances will be accounted for, particularly in any regulations that the Minister issues under the Bill, to ensure that we do not have the bizarre situation in which someone who has cared for the child every day, helped them to get to school and done all the things we would regard as parenting is unable to get leave, while a biological parent who has done none of those things or dealt with any of the sad formalities following the death is the one to whom the leave is attached. We do not want the person who has been most affected by the death, emotionally and perhaps mentally, to have to rely on the goodwill of their employer to get some time off.

The second theme relates to when the leave can be taken. Some people who are grieving want to stay at home, understandably, and to stay away from work. Indeed, an employer might not want those who fulfil certain roles to be at work. They might not want someone who has just been bereaved to operate heavy machinery, for example, or to drive or to fly a plane. It might not be appropriate for such people to be at work if their mind is in another place. For others, however, going to work the day after can actually help them. That might be when they need to take leave. That might be when they need to take leave. There might be a significant birthday relating to their child, or some other significant event that they wish to spend time on. I believe that the period within which the leave can be taken should be longer than 56 days and more flexible. We need to show a greater understanding of people’s needs in this regard.

Karen Lee (Lincoln) (Lab): When I lost my daughter, she was grown up—she was not a child—and I want to suggest that people might need to take leave on odd days. I know that that is not easy to facilitate, but people do not know when grief is going to hit them.

Kevin Foster: I am sorry to hear about the hon. Lady’s experience. It would be interesting to hear the Minister’s response to that suggestion as well. Perhaps the leave should not simply be a block of two weeks; after all, this is not like taking a holiday. Events such as the child’s birthday or something else that the family was looking forward to might crop up, and perhaps employers could allow the bereaved person to take their leave in two separate weeks or in separate days over a period, rather than as a two-week block. Also, I wonder whether the Bill focuses too heavily on the funeral as the main event. Clearly, it is a difficult day and people will want to take time off around it, but not necessarily two weeks. As the hon. Lady says, there might be other days, perhaps not too far in the future—a family wedding, for example—that will also be difficult for the parent and taking time off at that point would be appropriate. I thank her for her intervention.

I hope that the Minister noted what she said and will reflect on it in his contribution. In amendment 23, the hon. Member for North Ayrshire and Arran proposes to increase the amount of leave that can be taken up to a year, but I want to reassure people that my amendments are about ensuring that things are not too tough or quick after the event.

My third group of amendments—9 to 11—relate to the requirement for notice and the ability to create such a requirement. Given the nature of the provision, I feel that it is more appropriate to examine creating a requirement for a reasonable notice period. It is safe to say that such events will rarely be predictable, and we have heard testimony in the Chamber before from Members who have gone through a stillbirth. Something wonderful is expected to happen, and people plan for it and look forward to it, but what happens instead is a shattering experience. I am worried that if we are too prescriptive about requirements to give notice, we could create a situation in which the bereaved find themselves having to comply with a particularly tough notice period requirement or having to deal with their employer in a particular way. I accept that the vast majority of employers would bend over backwards if an employee went through this type of situation, but we need the law to deal with the handful that would not.
Antoinette Sandbach (Eddisbury) (Con): There was a degree of shock among the members of the Bill Committee at the evidence of employers who were not prepared to give employees leave if they were pregnant and then lost their child. I and many other Members were horrified by the lack of compassion and understanding being demonstrated by some people towards their employees at a deeply personally distressing time. I welcome my hon. Friend’s amendments that address the issue, which is an important reason for why we are being forced to legislate in this area.

Kevin Foster: My hon. Friend is right. The vast majority of employers will be considerate and understanding and will look to support their employees. At the end of the day, they will generate a lot of loyalty in an employee that might well be repaid in a positive way at a later date. It is not a burden for an employer to be good to their employees. Reducing staff turnover can actually be a huge boost for a business. Employees can get experience and develop skills and will stay if they feel that the situation is more of a partnership than a “them and us” relationship.

Unfortunately, however, there is still an undoubted need to legislate. The majority of people would not discriminate against others based on their gender, sexual orientation, race or ethnicity, but there are some who would, which is why we have the law and the relevant sanctions in place.

Chris Philp (Croydon South) (Con): I support my hon. Friend’s case for protecting bereaved employees by ensuring that notice periods operate in a reasonable fashion. However, to ensure that nobody falls through the cracks, does my hon. Friend agree that there may be a case for a more general duty on employers to act reasonably? We may not be able to set out every eventuality in regulations, so a general duty to act reasonably would provide protection for bereaved parents.

Kevin Foster: My hon. Friend has clearly read my amendment 9, which talks about a “reasonable” notice period. Is written notice reasonable in some circumstances, or would a simple phone call from a trusted close person be suitable? People react to grief in different ways. The hon. Member for Lincoln (Karen Lee) pointed out that some people might need to take specific days off, but others may want the time immediately. Some people may even want to come into work the next morning, and they will be able to speak to their employer face to face.

I agree with my hon. Friend. The Member for Croydon South (Chris Philp) that things should be done on a reasonable basis. As a lawyer, I accept that there can be issues with words such as “reasonable” and “proportionate” and with where exactly we draw the line, but he is right that we do not want to split hairs about whether something is right or wrong. My hon. Friend the Member for Eddisbury touched on the fact that there will be no issues with most employers, but when an employer is looking to get out of doing something, that may lead to issues about how exactly notice was given or whether it absolutely conformed with the regulations. No reasonable employer would do that, but we legislate for those who are anything but reasonable.

Kevin Hollinrake (Thirsk and Malton) (Con): My hon. Friend is making some strong points. He will be aware that there is already a requirement for employers to give reasonable time off when people suffer such tragedies but, as he says, the Bill seeks to ensure that the employers who would not normally be generous and sympathetic also give people the time off that they need at times of great tragedy and grief.

Kevin Foster: My hon. Friend is right that a reasonable employer will behave differently from the type of person at whom the legislation is aimed. To be blunt, the legislation will target the sort of person who adopts the employment practices of Scrooge and Marley—an admittedly small number of employers—but I do not want the Bill to offer a get-out for people who may want to act inappropriately. We must ensure that Parliament’s intention is clear in the legislation that we pass.

James Cartlidge (South Suffolk) (Con): My hon. Friend is making a powerful argument. As for whether employers will act reasonably, this is not necessarily just about the Scrooge-like employers who are literally uncaring. We potentially need to be more prescriptive for certain corporate environments, particularly those with high turnover or significant distance between the management and employees due to the number of people. In a smaller company, where the bond between the employees and an employer who values them is strong, the employer will go out of their way to help anyway.

Kevin Foster: My hon. Friend is right. In a small or micro-business with four or five employees, the relationship may feel more like a partnership, instead of a situation involving the boss and then four members of staff. I accept that we may need to be slightly more prescriptive for larger employers, but I do not want the legislation to become so prescriptive that it provides a way for someone who wants to get every last penny out of their employee to avoid the regulations. However, we need to be a bit more prescriptive to deal with some of the examples that have been cited.

Karen Lee: It is just as important that an employee is supported when they go back to work. I was working on a hospital ward, and the people were just fantastic. People can say anything about the NHS, but it was wonderful to me. I had something like 10 weeks off while nursing my daughter, and when I went back I was doing audits of heart attacks for MINAP—the Myocardial Ischaemia National Audit Project—cleaning cupboards and all sorts of things. It was about six weeks before I went near a patient again. Every business is different, but people cannot just walk back in and pretend that everything is the same as it was on the day they left after their world has been turned upside down. It is vital that that is taken into consideration.

Kevin Foster: It is apt to reflect on the NHS, which provides such support to its staff as well as to its patients, in its 70th year. The hon. Lady is right that it is not just about leave. The employer will need to behave reasonably when the employee comes back.

As I have said, an employer would not feel comfortable about a person doing certain jobs if they have just suffered such a bereavement. Few of us would suggest it is a good idea to fly a plane the next day, for example, or
to do something that requires absolute concentration—I am pretty sure the military have quite strong provisions on leave or, at the very least, on excusing people from particular duties. If a person’s mind is elsewhere, if they have had their life turned upside down, they will not be in the mood to do air traffic control, for example. It is appropriate that employers think about that when a bereaved parent comes back from leave.

It is hard to legislate for every instance, and thankfully many employers are very good and are fairly understanding. The Bill sets a legal minimum.

10 am

David Linden (Glasgow East) (SNP): The hon. Gentleman is making a good point about ensuring the Bill is as flexible as possible, and I support some of the amendments he has tabled. I support all the amendments made in Committee. One of my concerns—my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson) and I tabled an amendment on this in Committee—is that a person will not fall within the scope of the Bill if they have been with their employer for fewer than 26 weeks. The Bill is all good and well, but does the hon. Member for Torbay (Kevin Foster) share my concern that a person who has been with their employer for, say, 25 and a half weeks will not be covered? Would he support the Bill being extended to people who have been with their employer for fewer than 26 weeks?

Kevin Foster: Bereavement leave should be a day one right, and I am reasonably supportive of the hon. Gentleman’s idea, or at least of having an idea of how an employer should approach leave for employees who have worked for them for a very short period of time. I accept it is probably slightly different for people who have worked for their employer for a very short period of time, but I think we would all hope and expect an employer to behave reasonably, because clearly this is not something a parent will have planned. This is not a provision of which any parent wants to take advantage, far from it. I am sure every parent in the Chamber would hope they never have to take advantage of this provision. I am interested to hear the Minister’s response on how we set that limit.

Again, we do not want the ludicrous situation in which a person, for the sake of argument, has worked one day short of the limit—for example, the death happens at 11 o’clock at night and they would have been covered if it had happened at 1 o’clock in the morning. We do not want such a cliff edge. I will address another such issue in relation to other amendments.

I support the broad thrust of what the hon. Member for Glasgow East (David Linden) says, and it will be interesting to hear the Minister and perhaps the promoter of the Bill, my hon. Friend the Member for Thirsk and Malton, outline how they feel it should work so we do not have cliff edges. The whole point of the Bill is to have a position that reflects the devastating impact on people.

I am conscious that I have been on this theme for a little while, so it is probably time to move on to the fourth theme of my amendments. I touched on cut-offs in my response to the hon. Gentleman’s intervention, and I am also concerned about the cut-off created by a child’s 18th birthday. My amendments 6 and 24, and amendment 21 tabled by my hon. Friend the Member for Mid Dorset and North Poole, would change the definition of a child so it refers not only to sons and daughters aged under 18.

I think we would all feel that losing a child is hard at any age. Sadly, in my own family, my grandmother Beryl lost her son Mike. Mike was 59 and, by that point, my grandmother was in her late 70s, but the impact on her was just as strong as it would have been had Mike been 12 and had she been 30. Of course, due to her age, she did not need to worry about time off work—she was already a pensioner—but the impact on her was just as significant. She had lost her son.

The law does not view a person aged over 18 as a child. The law rightly views them as an adult—they are able to make their own decisions and are able to participate in life—but the parent still views them as their child. Sadly, my grandmother outlived not only her son Mike but the two children of her second husband, Cyril, my maternal grandfather. Both my mother and my uncle died before my grandmother, both passing away in their 50s. The impact on my grandmother was quite profound. My mother was the last of the three to pass away, four years ago. My grandmother said, “Here’s me sat here at 85 with all the children”—as she viewed them—“gone.”

It makes logical sense that a child aged under 18 should clearly be covered by the Bill. That is unarguable, and it is absolutely right that the provisions also apply to stillbirths.

Michael Tomlinson: My hon. Friend is making a powerful point. Does he agree that amendments 6, 21 and 24 would not widen the scope too greatly? His powerful example shows that many people in this situation will already be retired, so removing the age restriction of 18 does not widen the scope. When looking for a balance between employers and employees, which of course we must do, the amendments would not widen the scope too much.

Kevin Foster: The amendments would widen the scope a bit. An employee aged 61, 62 or 63 might lose a relative in their early 40s but, yes, by the point children are in their 50s or 60s, their parent is almost certain to have retired, or at the very least will only be in part-time employment. Monica Bulman, a nurse who recently retired in Torbay, did nearly 60 years in the NHS, which is remarkable. She was in her 80s when she retired.

For me, it is about the principle and about how the Minister and my hon. Friend the Member for Thirsk and Malton think employers should reasonably act in circumstances where, for everyone else, an adult has passed away but for the employee it is their child. The employee will remember their child as a baby, and that will have an emotional impact. I am concerned that we do not create a cliff edge at 18.

Will Quince (Colchester) (Con): My hon. Friend is making a powerful point. I do not usually disagree with my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson), but the amendments would change the remit quite significantly. They would increase the number of potential recipients fivefold. At the moment, as we know, there is an element of fragility in getting private Members’ Bills through the House. We have the support of the Treasury Bench, which is based on financial calculations on the existing number of potential
recipients. If we were to increase that fivefold, I fear we would lose Government support because they would have to go back, redo the calculations and get Treasury support again. However well meaning, I encourage him to think about the implications of these amendments.

Kevin Foster: I thank my hon. Friend for his intervention, and I take on board what he says. Perhaps my hon. Friend the Member for Thirsk and Malton will cover this in his speech, but it will be interesting to hear how we would expect employers to react in this circumstance. I am particularly thinking of people aged over 18 who have particularly special needs because of, say, Down’s syndrome. In the past, those with Down’s syndrome sadly lived relatively short lives. We now have examples of those with Down’s syndrome reaching retirement age with very elderly carer parents. That presents its own challenge to local authorities in how to provide care to a parent who is absolutely devoted to caring for their child who is now perhaps in their 30s or 40s. As the parent develops their own care needs in their 70s and 80s it can be difficult to manage them without breaking the special bond the family have had for many decades.

Hearing what my hon. Friend the Member for Colchester says, I may be minded not to press the amendments if they might prevent the Bill from progressing. It would be interesting to hear from the Minister what thoughts the Government have on such cases and how we might expect employers to react. I do not want a situation in which the Bill applies if a person loses a child aged 17 years and 364 days but does not apply if they lose a child aged 18 years and one day. We must ensure there is no such cliff edge, which I do not think is the intention of the Bill.

Will Quince: I totally agree with the points that my hon. Friend is making. The key thing is getting the Bill on to the statute book; once that has happened, we can consider secondary legislation and amendments, but this is about our getting there. We discussed all these things in Committee. There are other issues, covering spouses and other relationships, that people would understandably wish to be included in the Bill. Unfortunately, we cannot do that; we are unlikely to get it through if we do. Everyone in this House would like us to look at the legislation in the future, with a view to amending it, but we have to get the Bill on the statute book as a starting point.

Kevin Foster: I take the points my hon. Friend is making. As I said at the outset, I fully support the Bill—I have no intention of giving a five-hour speech as an attempt to talk it out. When it comes to the key moment, I will not seek a decision on these amendments if that would endanger the Bill. However, it is right that we have this discussion today so that Ministers can listen to the opinions of the House. Sadly, tribunals and courts will be called on to interpret the Bill, but our discussion means they will be able to see clearly that Parliament was not setting a maximum and saying that the provision should stop there, but deciding where the floor—the minimum—should be.

Kevin Hollinrake: My hon. Friend is making some excellent points. The Bill has an impact on the Treasury, with an annual cost of about £3.2 million, because the taxpayer—not the Treasury itself, clearly—will be picking up the tab for the statutory pay element. We have to take that key consideration into account. We must also consider costs for businesses, especially small businesses, as they will suffer the effects more than larger businesses. Small businesses find it much more difficult to cater for absence. As there is already a predicted cost of £2.6 million a year for small businesses, does my hon. Friend agree that we need to strike a balance by taking into account the interests of both business and the individuals who suffer these tragedies?

Kevin Foster: Obviously my hon. Friend is right to say that a balance needs to be struck. On issues such as how much leave there should be, who this applies to and how it applies, we need to strike a balance against cost, particularly to small businesses. It is worth pointing out, as my hon. Friend the Member for South Suffolk (James Cartlidge) rightly mentioned, that many small businesses are likely to be the most reasonable with their employees in any case.

My hon. Friend the Member for Thirsk and Malton is a great champion of small businesses in this Chamber. Sometimes we rightly talk about not wishing to impose this cost or that cost, but a lot of the time we find that some of the worst examples of poorer employment practice are in one or two larger employers, where a rigid rule is applied fiercely to try to squeeze the last pound out, whereas smaller businesses work more as a team. If we walked into the room and were asked to guess who the owner of a small business was, we would not be able to do so, as the business works as a collective. I can think of hotels in Torbay where the owner of a hotel that is worth millions can be found serving the spuds, as the hotel does silver service—they do literally every job in the hotel, as well as being the owner and manager. However, I accept that there is a balance to be struck.
Kevin Foster: It must be wonderful being one of my hon. Friend's constituents—we will all be emailing him at 3 o'clock tomorrow morning and waiting for the reply. As I was saying, I accept that there is a need for balance, but I do not want the process to be too rigid.

10.15 am

I am conscious that time is moving on and others wish to speak, so I shall deal with a couple more amendments. My amendment 4 would increase the minimum time off from work from two to four weeks. I accept that two weeks is an improvement on the current statutory provision, but it seems too short, and I was looking more towards a 28-day period. In response to the intervention made by the hon. Member for Lincoln, I touched on the fact that people might want to take bits of time off over a longer period to reflect the impact of losing a child, perhaps because of a particular birthday or event that they were looking forward to. For example, someone who had lost a child who was studying at college may find that date of the certificates might be difficult for them. We should explore why we have opted to provide for a fortnight rather than 28 days. If the promoter of the Bill wishes to advance an explanation, I will be interested to hear it, either in an intervention or in his speech. The Minister may also wish to reflect on this point. It is not unreasonable to consider a minimum of 28 days, and I would be interested to hear from my hon. Friend the Member for Thirsk and Malton the rationale as to why—

Kevin Hollinrake rose—

Kevin Foster: I think that I am about to hear it now, so I happily give way.

Kevin Hollinrake: I am happy to come back on this point. We are clearly dealing with a minimum here. We expect employers to be—our evidence absolutely supports the fact that they are—generous and sympathetic in such situations. Many of them give full pay and provide whatever time is needed for the parent to try to recover—or to move on—from the tragedy. We are trying to cater for the isolated numbers of employers who do not take that approach. We believe that one in 10 does not provide a sympathetic and generous policy when these things happen. So we are trying to strike a balance while sending a signal to those employers that they should be generous and sympathetic in such situations.

Kevin Foster: I take on board my hon. Friend's point, but legislating is not just about sending a signal—we can do that by tabling a motion, making a speech or putting a question to a Minister. This is about setting down a piece of law that is not signalling what employers should do, but telling them what they must do. He is right to say that the Bill will not make much difference at all to 90% of employers. The small business that works as a team and the larger employer that values its staff will be able to sit back and think, “This is pretty much what we do already,” with the exception that the Bill provides for statutory parental bereavement leave and for the taxpayer to make certain payments. The Bill is about dealing with that 10%.

Will Quince: My hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) makes a good point. The Bill enshrines in law the minimums—it is about a floor, not a ceiling. The House should make it clear that on pay and time off, we are providing for statutory minimums. We know that most employers will want to offer more time—the time that their employees need. Likewise, although we are talking about amounts for statutory paternity and maternity pay, I would like to think that most employers will recompense their staff at full pay. I hope that the Government, as a good, compassionate and sensitive employer, will consider ensuring that civil servants are paid at full pay, because that would send a clear signal that the Bill sets out a minimum and there is an expectation that the provision will be greater.

Kevin Foster: I thank my hon. Friend for making the point that this is about the minimum rather than the maximum. I take on board what he and my hon. Friend the Member for Thirsk and Malton have said. I certainly do not want to endanger these provisions, but I will be interested to hear what the Minister says when he responds to the debate. It would be useful to hear his views about the policy that will be adopted in the civil service. If he wishes to intervene now, I would be happy to let him, but he might find it easier to cover that when he makes his speech.

This is an appropriate point for me to move on to amendment 7, which relates to the pay level. It would make it clear in the schedule that the minimum pay level will be statutory parental bereavement pay, rather than contractual pay. Like my hon. Friend the Member for Colchester, I hope that most employers will be flexible, but the amendment would make it clearer in the Bill that the minimum is the statutory pay. Of course, if employers wish to pay more—if they wish to treat the period as normal paid leave—they can, but the Bill will set out the minimum.

Chris Philp: I congratulate my hon. Friend on his extremely detailed and thoughtful speech. Will he confirm my understanding of how the process will work: the statutory pay element would be reimbursable by the taxpayer—the Treasury—but any excess over and above that level that the employer might choose to give would not be reimbursable by the taxpayer?

Kevin Foster: I think that my hon. Friend's interpretation is correct, but perhaps the Minister will cover that when he sums up so that we are absolutely clear about the Treasury's position. My understanding is that the Bill makes clear the minimum—the statutory pay—but that employers are of course welcome to pay more. As we have heard, most employers—some 90%—are doing the right thing. I should be clear that most employers are already doing exactly what we want them to; we are legislating for the 10% who do not.

Michelle Donelan (Chippingham) (Con): I echo hon. Members' comments about the Bill setting the minimum, but it is important that we also recognise that some very small businesses and microbusinesses simply cannot afford to continue to offer full pay because they have to get somebody else in to do the job in the interim. The statutory element is about giving them the ability to be compassionate and let their staff take the time off with some kind of income. It is not just about some employers not getting it; it is a “needs must” thing, too.
Kevin Foster: I recognise that for some employers, particularly microbusinesses in which there might be only two, three or even four employees, it is not about wanting to be nasty, but about the position of a business that is operating hand to mouth incurring the costs of agency staff and so on. That is why it is right that the taxpayer is involved in supporting people at a difficult time. I do not think that any of us object to the taxpayer sharing some of the costs of this provision, rather than it all being loaded on to employers. I accept that there is a balance between what we expect employers to do and what the taxpayer should be asked to pay for.

Having discussed microbusinesses, perhaps this is a good time to move on to amendment 8. I will be interested to hear the thoughts of the Minister and my hon. Friend the Member for Thirsk and Malton about what type of job will be covered. Many people might think, “Really? You have a job and you get paid. That’s simple enough.” Unfortunately, it is not quite that simple in the modern economy. It is not like the situation in decades past when it was perhaps quite easy to identify someone’s employer.

The Bill refers to jobs of a kind specified by regulations, and I am particularly keen to know that there will not be a sort of shopping list of the jobs covered such that if someone delivers milk in the morning, they are be fine, but if someone works on a farm milking a cow, they will not be covered because that job is not listed. My amendment deals with the question of whether someone is employed, and we have a good definition of that in law. Her Majesty’s Revenue and Customs is only too keen to define people as employed so that they can be taxed appropriately on their income from their employment.

I hope that we can explore exactly how we will cover some of the new models of employment, in which someone may not have a job with one employer but regularly works for a group. I am thinking particularly of the gig economy, in which someone might be working irregular shifts, but are to all intents and purposes an employee of an employer. How do we deal with different types of employment model? I accept that we will not be able to cover absolutely every single situation in which someone is paid to do something on someone else’s behalf. There will always be debates about how we treat self-employment. Indeed, the debate about national insurance contributions and what the self-employed are eligible to claim from the welfare and benefits system showed the difficulties with these things.

Kevin Hollinrake: My hon. Friend makes a strong point. The world of work is certainly changing. He will be aware of the Matthew Taylor review, which has been examining issues relating to the gig economy and how we define someone as an employee or a worker, as well as all the different categories of employment and self-employment. We want to keep options open in the Bill so that we can mirror the outcomes of the Taylor review when those issues are settled. We therefore will not have measures in the Bill that we cannot change; we will have flexibility to make sure that people who deserve to be covered by the Bill are covered.

Kevin Foster: I thank my hon. Friend for helping to bring some clarity to the matter. I did not want to get back to the old idea of what a “proper job” is that some of us used to hear at school. It is amazing how many people thought that certain things were proper jobs, and it has to be said that it was mostly men and that a proper job was one that was traditionally male orientated—surprise, surprise—and other things were just basic jobs. However, the sorts of jobs that were once dismissed—in care, healthcare and other areas—are vital in today’s economy, and we need people to be doing them and to see them as the type of job and career that they want to go into.

While exploring the Bill, I was concerned that we should not end up with Parliament in effect asking the Minister to draw up a list of every job he could possibly think of and every type of employment activity that could ever be done for an employer, so amendment 8 is about targeting whether someone is employed. I am conscious that we have to make sure that our language and intentions are fairly clear. We should bear in mind our brief debate on another private Member’s Bill, the Unpaid Trial Work Periods (Prohibition) Bill. Most of us would think that a trial was a very short period—perhaps an hour or two, just to see how someone mixed with a team—but the hon. Member for Glasgow South (Stewart Malcolm McDonald) gave an example of a place that had interpreted a trial as several weeks of working for nothing. Clearly, none of us would view that as a trial; the process was just about trying to dodge minimum and living wage legislation. We need to make sure that there is no opportunity to misuse what we all might think are reasonable words in the English language.

I am conscious of time and wish to give others the opportunity to speak. I shall listen carefully to the arguments made by the Minister and the Bill’s promoter, my hon. Friend the Member for Thirsk and Malton, when they speak about my amendments. I have been reassured by some of the interventions I have taken from my hon. Friend, and I thank my hon. Friend the Member for Colchester for his interventions, which have helped to clarify some points. To be clear, I will support the Bill even if my amendments are not accepted. It would not be beneficial for anyone if the Bill was not passed.

This welcome Bill will help many in the darkest times of their lives. My hon. Friend the Member for Thirsk and Malton can take great pride in the difference that his Bill will make to those people, and my hon. Friends the Members for Eddisbury and for Colchester can take great pride in how they have used their personal experience to help others who end up in the same position. I support the Bill wholeheartedly and hope that the discussion of my amendments will help to make it even better.

Patricia Gibson (North Ayrshire and Arran) (SNP): It is a pleasure to follow the hon. Member for Torbay (Kevin Foster).

I thank the hon. Member for Thirsk and Malton (Kevin Hollinrake) for bringing forward this Bill and for the consensual and sensitive approach that he has demonstrated as he piloted the Bill to this stage. I appreciate all the work that he has done to ensure that, finally, the anomaly and the injustice of bereaved parents not having any protection in employment law is addressed. I also thank the members of the Bill Committee. I make special mention of the hon. Members for Colchester (Will Quince) and for Eddisbury (Antoinette Sandbach), with whom I have made common cause on this issue.
10.30 am

I am quite sure that the Bill is warmly welcomed by everyone in this House and across the United Kingdom. Many of us in the Chamber today have had the tragic and life-changing experience of having to bury our own child. As we talked about that in Committee, the thing that we all understood and appreciated was that this Bill was not for us; it is for all those other men and women who, in the future, will have to undergo this agony themselves. We in public life, especially those of us who have gone through this terrible experience, have a duty—a sacred and moral duty—to improve the situation for those who, in the coming years, will suffer the same terrible fate of losing a child.

My colleagues and I approached the Bill in a non-partisan manner; some things go far beyond political affiliation, and cannot be treated in that manner. My amendments have been drawn up to work with others. It is about doing the best that I can with my colleagues to ensure that we have the best Bill possible.

I am glad that I have been able to contribute to this Bill as it has made its passage through Committee. The care that we have all taken has ensured that this very fragile thing—a private Member’s Bill is like holding a piece of very fragile china—made it to this very important stage, and that is thanks in no small part to the hon. Member for Thirsk and Malton. This Bill rights a wrong. It corrects the injustice that bereaved parents who bury their son or daughter are, under the law, do not have any paid, or unpaid, specific entitlement to time off work. That means that any leave that is taken in such circumstances is entirely at the discretion of employers. We have heard today that, although most employers will be sympathetic to a member of staff facing such a loss, not just as an employer but as a fellow human being, others, as the hon. Member for Eddisbury reminded us this morning, may not be. We have heard anecdotal evidence of such cases, particularly in Committee.

Kevin Hollinrake: May I put on record my thanks to the hon. Lady for her work on this Bill, particularly during Committee stage. Earlier, she said that we had worked together to improve this Bill. I and my hon. Friend the Member for Colchester (Will Quince) were delighted that the Government were willing to accept her amendment on stillbirth. That is a clear sign of how cross-party working can improve legislation as it goes through the House. That particular amendment will always be attributed to my hon. Friend the Member for Colchester and the hon. Lady. Lady.

Patricia Gibson: I thank the hon. Gentleman for his kind words. What the Bill has shown, across this House, is the best of what the House of Commons can be. It is unfortunate that we cannot work in a more consensual manner on many more issues. On an issue such as this, when it is about human beings, compassion and feelings for our fellow man, this House has come out today looking much better than it often does. I thank the hon. Gentleman for his words.

To face the death of a son or daughter with no entitlement to paid leave under the law is a terrible injustice that generations of people before us have suffered. I am proud to say that, today, we will correct that. The Bill sets out a minimum leave period of two weeks. I know that that is not very long, but given that currently there is no entitlement at all, it offers a start and provides legal recognition that the response to such a life-changing event can no longer be—and should no longer be—a matter of discretion for employers. This is one of those days when, whatever criticism people make of the House of Commons, either justified or unjustified, we can feel that we are making a real and practical difference to people’s lives as they face the worst circumstances imaginable—the death of their child.

Let me turn to amendments 22 and 23. We know the trauma that accompanies the death of a child. The first reaction is shock and disbelief, especially in the case of a sudden death. A parent may initially refuse to accept the loss and try to continue as normal, blocking out the experience, which is a common feature of trauma. For some parents, going on as far as possible as though the death is not “real” will be a reaction that helps them cope. Keeping busy is a coping strategy that many use and one that, to a great extent, my own husband used when our baby was stillborn at full term. People cope with the devastation of losing a child in a variety of ways. As the hon. Member for Torbay pointed out, there is no right or wrong way to do this. That is why the amendments are important. If they are passed, they will provide a signal to bereaved parents. The Bill is saying, “We recognise the trauma of your loss and we recognise its life-changing nature, but it is important that you take your leave between these particular weeks, from this date to that date.” I do not believe that that is really what we wish to do; it is not the message that we want to send out, which is why flexibility is so important.

Edward Argar (Charnwood) (Con): It was a pleasure to serve with the hon. Lady on the Bill Committee. She is absolutely right to highlight the importance of flexibility and also of respect that each person is an individual and that each family copes in different ways. In some tragic cases, there are also practical reasons why greater flexibility is needed. For example, if there is an inquest or an inquiry into a death, that may come significantly later, and that may be a period when leave is needed to cope with the trauma of that event.

Patricia Gibson: The hon. Gentleman makes an excellent point, and I was just about to move on to that. I agree wholeheartedly with his insightful remarks. It is simply not appropriate or desirable to set an early time frame as to when bereavement leave should be taken. Some parents may feel the need for leave only when they have had time—it can be months later—to deal with the enormity of the loss, and when the reality of the loss has sunk in.

Much of the discussion around this Bill seems to be predicated on the loss of a child after illness. Yes, it is true, far too many families are devastated by watching a child ravaged by some terrible, unforgiving disease against which they have so few resources to defend themselves, but let us not forget that children die in a variety of circumstances. The sudden and unexpected loss of a child is no less traumatic. When a parent loses their child in dramatic and sudden circumstances, they will have had no idea that the last time they saw their child would be the last time that they saw them alive. Then there is some horrific accident—perhaps a car accident or some other type of accident—and in a moment, families are destroyed by grief and the cruel random nature of events.
[Patricia Gibson]

We need flexibility not just to allow parents to grieve in their own way in their own time, but, as the hon. Member for Charnwood (Edward Argar) said, to deal with a fatal accident inquiry, which is what would happen in Scotland, or a coroner’s inquiry in England. There may be a court case; perhaps even a trial. We have to consider all of those circumstances. There may be a significant gap between the loss of the child and the burial. There is a whole host of reasons why leave for bereaved parents must be flexible. If it is not, I fear that bereaved parents, whose employers—a small minority of them—are not as sympathetic as they might be, may face losing their jobs as well as losing their child. Bereaved parents must have the full protection of the law. I urge the Minister to consider this carefully. I am sure that he will, because he is a reasonable fellow.

Amendments 24 and 25 seek to recognise that the loss of a son or daughter is traumatic and life-changing no matter how old, or what age, that son or daughter may be. I think we all understand that it is against the natural order of events for any parent to bury their own child. We have the opportunity to recognise that in this Bill. I am sure that everyone in this House, and beyond it, would agree that losing a son or daughter aged 17 is a tragedy that should not and must not be treated differently from losing a son or daughter aged 19, 21, 23 or 25—we can pick whatever age we like.

Patrick Grady (Glasgow North) (SNP): I pay tribute to the hard work that my hon. Friend has put into this Bill and the passion with which she is speaking. She has had very personal experiences that have led to her commitment to taking all this forward.

This amendment is important because the relationship between parents and their offspring is changing. Nowadays, children may go back to live with their parents at much later ages—indeed, well into their adult lives—due to a range of changing societal circumstances. Those wider societal changes make the amendment much more important and relevant to the modern world. I hope that the Minister will consider that.

Patricia Gibson: My hon. Friend makes an excellent point. We have to bear it in mind that the relationship between a parent and a child, even as the child grows up and becomes an adult themselves, is rather special. As he says, the traditional picture of young people growing up and moving out is no longer borne out in the statistics, for a variety of reasons. The relationship of parents and children living in the same house has to be recognised at any age, but also even when they are not living in the same house.

I understand why the Government have put this into the Bill, but drawing the line at the age of 18 when we are talking about the death of a child appears to me to be quite random and artificial. I do not think that such a distinction is appropriate in the context of the loss of a son or daughter. Loss is loss, whether or not someone’s son or daughter is their dependant. I ask the Minister and the whole House to keep it in mind that this Bill’s focus and starting point—we need only look at the title—is the bereaved parent, not the child. It is not about the circumstances of the age at which the child is lost—it is about protecting parents.

When a son or daughter is lost at an older age, the discussion—in relation to this Bill, at least—becomes more academic. As the hon. Member for Torbay pointed out, the older a parent is when they lose their son or daughter, the more likely it is that they will be retired anyway and will not need the protection of this Bill.

Kevin Foster: The hon. Lady is making some powerful points. She is right that this is about the impact on the person. As I said, my grandmother was into her late 70s and her son was 59, but his death still impacted her very strongly emotionally.

Patricia Gibson: I thank the hon. Gentleman for that intervention. I listened very carefully to the personal example that he gave us from his own family, which makes the point very well.

I ask the House to consider some other examples, such as that of a daughter aged 24 with a young child of her own whom she is perhaps bringing up on her own. As the Bill stands, if she were to die, her bereaved parents would not have any of the support that it could offer, even though there may be a thousand reasons why they will need bereavement leave—for example, the support that their grandchild might need if she had been bringing the child up on her own. I put to the House an interesting example that is completely, and sadly too often, within the realms of possibility. What about a son aged 25 who would not be covered by this Bill? Let us say that he is serving abroad in the British Army in a fragile region, and loses his life during a tour of duty. Do his parents not deserve the protection that the Bill offers because he happens to be 25 and not a dependant? I do not think that the intention of the Bill is really to exclude such parents, and that is why I have tabled these amendments.

I remind the House that this Bill was introduced in the first place because of the particularly unnatural order of circumstances in which someone buries their own child. I do not presume to judge whether one kind of grief is worse than another, but we can all agree that it goes against nature for someone to bury their own child. It does not necessarily go against nature to have to bury one’s husband or one’s wife. That, sadly, is in the normal scheme of things that we ultimately all have to face, but nobody—nobody—expects to bury their own child. A child is a parent’s investment—their stake in the future.

10.45 am

I very much hope that the House will reflect on this matter and consider these amendments a worthy addition to the Bill. The benefits both social and emotional will surely outweigh any financial costs, which I really do not think will be significant in terms of overall Treasury spend. In Committee, the Minister pointed out that such a change to the Bill would increase the cost to the taxpayer fivefold or sixfold, with the cost rising from about £2 million to about £12 million. I accept that, as the hon. Member for Thirsk and Malton said, the taxpayer is picking up the tab for the statutory pay, but there is a cost to employers as well because they will have to cover the person’s time off. I think that in Committee the cost was quoted as £1.4 million or £1.5 million, possibly going up to £15 million.
It seems that those costs, sadly, could be enough to stop the Bill in its tracks. I find that deeply disappointing. It is all the more disappointing because the loss of a son or daughter can very often—lead to the breakdown of a marriage. About 50% of marriages end in divorce in the normal scheme of events, but some studies show that the death of a child means that the bereaved parents are eight times more likely again to divorce than other couples. We know that divorce has a social cost as well as a cost to the state. We also know that bereaved parents are more likely to develop depression and other mental health issues. Some turn to drink or other forms of self-medication. Some drop out of the workplace altogether and become economically inactive.

Apart from the wider scope that could and should be given to the Bill to support bereaved parents who might otherwise be excluded from it, it also—I say to the Minister—makes sense from a purely financial perspective to offer as much financial and employment support as we can during the early, critical days following the bereavement.

**Antoinette Sandbach:** I remember speaking at an event on child loss at which a solicitor who had acted in many, many cases where negligence had been involved told me that it was exceptionally rare for the parent to go back to the workplace because of the trauma. That would be less likely, as the hon. Lady says, if the parent had the ability to take some time out to deal with the grief. There is also action on the national bereavement care pathway that is at a pilot stage at the moment. These two things combined are likely to give parents a level of support that simply has not been there so far.

**Patricia Gibson:** The hon. Lady’s point is very well made, and I could not agree more. The initial input at the early stages through the level of support that can be offered in the workplace under the law is so important if we are going to help people to recover in any form from the trauma. It is better than having them parked out of the workplace, economically inactive and floundering alone in their grief with no support, as has been the case up until now. We lose too many marriages, and too many potential contributors to the workforce and society, because people do not get the support that they need.

The amendments I have tabled are extremely important. I will not press them to a vote, because a private Member’s Bill is such a fragile thing, and nobody wants to do anything that will take the entire matter off the table. I urge the Minister to give parents the support they need in their grief. There is a need for greater flexibility and access to grandchildren. That is why I was delighted to support my hon. Friend the Member for North Ayrshire and Arran about the need for flexibility.

I completely appreciate the fragile china that is a private Member’s Bill. I well remember my hon. Friend the Member for Eddisbury speaking in the very first Adjournment debate that I attended as a new Member of Parliament, and what a powerful experience it was to sit close to her. I think that I appeared in a number of leaflets distributed by my hon. Friend the Member for Colchester, because I was sitting just behind him when he was making one of his powerful speeches. That had a double benefit: me hearing his wise words and the people of Colchester seeing my face in his leaflet.

I will come back to amendments 24 and 25 in due course, because the hon. Member for North Ayrshire and Arran struck a raw nerve, and her words were very prescient. My hon. Friend the Member for Torbay (Kevin Foster) has spoken in great detail to all his amendments, which I have signed, so I do not feel the need to bang on at length, but I want to address two or three areas.

First, amendments 1 and 2 relate to primary care givers and grandparents. While those amendments may not be necessary because of how the Bill is drafted—it is clear that the Secretary of State will lay regulations and that there will be a definition of a bereaved parent—it is important that we debate in this place at some length what we expect that definition to include. At a time when we need more foster carers and adoptive parents, it is right that we use the term “primary care giver”, rather than just “parent”.

**Kevin Foster:** If someone adopts a child, they become the parent as far as the law is concerned. There are also foster carers or those who have taken in a child in certain circumstances—for example, when there are potential child protection issues. We must be clear that this applies to the primary care giver, not necessarily only the person who is legally or biologically defined as the parent.

**Michael Tomlinson:** My hon. Friend is absolutely right, as he often is. That is why I was so delighted to add my name to his amendment.

It is the same with grandparents. My hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) led a powerful debate in Westminster Hall just last week on the important role that grandparents play in the family. I agree with him that we should give far more credit to the possibility of grandparents having care for and access to grandchildren. That is why I was delighted to sign amendment 2, which shows the important role that grandparents do and should play in the family.

Let me move on briefly to one or two other amendments before I get to my main point. On amendment 23, I completely agree with the hon. Member for North Ayrshire and Arran about the need for flexibility. That is fundamentally right. We heard that from the hon. Member for Lincoln (Karen Lee), who quite rightly said that we do not know how grief will strike any of us—we just do not know. Some people will want to go to work immediately the next day. To be—dare I say it?—a little bit stereotypical, it is probably more often the man who will want to go straight back to work, throw himself into it, try to forget what has happened and put it to the back of his mind and just get on with life. That is not always, but quite often, the case. Flexibility is key.
We have talked before about the fact that these are minimum standards. We are not talking about good employers. These provisions are there to safeguard employees who are not fortunate enough to work for a good employer. I completely agree with the hon. Member for North Ayrshire and Arran and the thrust of amendment 22 on the need for flexibility.

That brings me to my main point, which is on amendment 21, which I have tabled, and amendments 6, 24 and 25. It seems entirely arbitrary and faintly ridiculous that we are saying that these provisions only apply when the child is up to the age of 18. It is simply not right to say that a parent acts any differently if their child is 17, 18 or 19. My brother died aged 24, and I know that it did not affect my parents any less or any more because he was 24, rather than 17 or 18.

I am incredibly proud of my brother. He used to claim that he was the first Oxford student to have been president of both the Oxford Union and the Oxford University Conservative Association since my noble Friend Lord Hague of Richmond. I think he was wrong in that, but he was very proud to claim that he did that double. Sadly, he died out in Beirut. He was on a gap year in Lebanon—he was not fighting—and was learning Arabic. There were increased tensions between Israel and Hezbollah in Lebanon, but he died of a very mundane cause: carbon monoxide poisoning. It was such an innocent tragedy, and it just should not have happened.

My father had just retired the summer before, and I know that had he still been in work, he would have found it incredibly difficult to carry on and to turn up to work the next day. My mother was still working. She had the good fortune of having a brilliant employer. She was a teacher—many of my family are teachers—and her headmaster effectively gave her that term off, so she had from April to September, because there are the long summer holidays. Imagine a scenario where a parent does not have a decent employer and does not have the protection of this law, and arguably the protection of these amendments as well.

I maintain, as did the hon. Member for North Ayrshire and Arran and my hon. Friend the Member for Torbay, that extending this beyond the age of 18 would not widen the scope that much. We have heard evidence that it may increase the burden fivefold. It is probably my fault, but I have not seen that evidence, and I want to know what it is based on. My instinct is greatly that the older the child, the more likely it is that the parent will be in retirement and therefore that this will not widen the scope. I ask the Minister to consider and perhaps set out in some detail the evidence why the burden would be so much greater if the definition of “child” was opened up to beyond the age of 18.

The final set of amendments that I want to touch on is amendments 9 to 11, in relation to the regulations. My hon. Friend the Member for Torbay is right that the regulations laid before Parliament by the Secretary of State in due course should not be onerous in relation to notice periods. We are talking about parents who are in an incredibly difficult position, at an incredibly sensitive time. We do not want to be shutting off people who are entitled to this parental leave just because they happen to have failed to give some minor notice, because the letter has gone missing or the email was not sent. We need to be sensitive at a time of grief.

Kevin Foster: My hon. Friend is making a very good point. Does he agree that the bonus of his amendment 17 is that someone could easily provide notice in any way; it would not have to be a handwritten letter delivered in a particular way? As long as a reasonable effort has been made to get the notice to the employer about the circumstances, that should be enough, regardless of exactly which form that notice took.

Michael Tomlinson: My hon. Friend is absolutely right. He has the benefit of being a lawyer and will therefore have studied notice periods and all the ancient texts about contracts and contractual arrangements. It is just nonsense to say that this should be construed that tightly and with that much regulation. We need reasonable notice periods, while being perfectly understanding of the situation that these parents are in.

I strongly support the Bill. I congratulate once again my hon. Friends for their work, and I look forward to hearing the responses from the Minister and my hon. Friend the Member for Thirsk and Malton to the points I have raised.

11 am

Bill Esterson (Sefton Central) (Lab): This is an important and sensitive issue. I am acutely aware that some Members who have been involved with the Bill throughout its passage have direct experience of losing a child, and I commend the bravery with which they have used their personal experiences to do good for others. In my family, my mum experienced the loss of my older sister who I never knew. She died some years before I was born, and for the rest of her life my mum was unable to speak about the loss of her daughter—I know that others have mentioned such experiences. It is something that has been present throughout my lifetime, unmentioned but always there in our family in the background. My sister’s name was Rebecca, which is also the name that my other sister gave to her daughter in her memory.

This Bill can only be a positive step. I am aware of the anxieties about it, but I am sure that none of us wish to do anything to scupper its progress. All those who are going through the ordeal and trauma of losing a child should at least be able to have some paid time away from their employment to deal with the practical elements of a bereavement, as well as the undoubted grief and pain associated with the death of a child.

Families, family relationships and caring relationships in our society are beautifully diverse, and it is right that legislation that offers entitlement to leave because of someone’s relationship with a child reflects that diversity. Often, those who are primary carers are not the biological mother or father of the child. They could be grandparents, other members of the extended family, or those who have opted to care for the child through formal means such as fostering, in a residential care home, or through adoption—my wife and I have gone through that experience and we have two adopted children.

In this country we—including under this Government—encourage foster carers to build loving relationships with children in their care, and rightly so. It is therefore only right and proper to make provision in law, so that people who are caring for a child, in whatever circumstances,
are given paid leave if that child dies. That is in recognition of the fact that although those people may not be biological parents, they will often be parents, perhaps even legally, and they will form deep and meaningful relationships with the children in their care. They will suffer pain if they lose that child, and they will need time to make practical arrangements, including a funeral, and of course time to grieve.

How and when grief hits a parent can vary, as does the time at which practical arrangements associated with bereavement are needed. Arranging a funeral is just one of a huge list of responsibilities in the wake of the death of a child. There could be involvement with a coroner, and an ability to take the leave entitlement at varying points and not all at once would be welcome. People may need a day off to register the death, and they may need more time off weeks later because they are too low or upset to attend work. Grief does not come and go in a neat two-week period; it is something that stays with people, as I described with my mum’s experience. Although it is not practical to extend the leave entitlement to an undefined period, that entitlement should be valid for a sensibly long period of time—a year seems reasonable. It should also be possible to take the leave at more than one time.

**Kevin Hollinrake:** The hon. Gentleman is making good points and speaking very-movingly. Does he accept that this is principally a signal to employers? There are many different circumstances involving this kind of tragedy, and everybody’s situation is different. Fundamentally, we are trying to ensure that all employers are generous, sympathetic and flexible in how they treat such situations, and that they provide leave and pay that is fair in all different circumstances. However, we cannot necessarily provide for all those things in legislation.

**Bill Esterson:** The hon. Gentleman is right and I commend him on promoting this Bill. I would like to pick up on some of the points he made about employment, self-employment, and the impact of the Bill on businesses. A good employer would certainly want to look after its staff—indeed, it is in its interests to do so. If an employer wants to retain staff, it should look after them, and that is also the right thing to do more generally. As we have heard, the vast majority of employers already do what is set out in the Bill in practice, and the Bill rightly ensures that all employers have a minimum set of standards to follow.

I take on board the point about whether this is the right time to consider broadening the provision to cover adult children, but we are talking about a relatively small number of people who would qualify for an entitlement to leave. We are talking about someone who loses a child, whether that child is under or over the age of 18—the hon. Member for Mid Dorset and North Poole (Michael Tomlinson) described losing his brother who was 24. It does not matter at what age this happens; it is an extremely painful situation for family members, and I understand that my hon. Friend the Member for North West Durham (Laura Pidcock) reminded the Committee of just that point. In the mind of a parent the pain never ceases, whatever the age of the child.

Although an older child might have a family of their own to help with practical arrangements, that is not always the case. Indeed, some older children are dependent on their parents—for example, parents may still care for a disabled adult. It is perfectly possible that a worker aged 60 could have a daughter or son who dies aged 30 or older, and it is reasonable for them to have a statutory paid leave for all the reasons given for younger children. Lifting the age limit of what it means to be a child could be done either in the Bill or later, in recognition of just how exceptional these circumstances are.

Out of all the employment rights currently written into law, parental bereavement leave and pay is something that no one in the Chamber would ever want to apply for. Increasing leave entitlement from zero days and no pay to two weeks’ paid leave at a statutory minimum rate is a welcome step, although I am sure that many people who have lost a child would tell us that two weeks is nowhere near long enough, and perhaps a longer period of leave might be right. However, for purposes of the Bill we are discussing two weeks’ paid leave, which would be a significant and important step forward.

It is crucial that bereavement pay is paid immediately after the death of a child. A parent or carer should not have to worry about whether they can afford to take time off, and that should not be another thing added to the extreme stress that bereavement often creates. The statutory minimum rate is certainly better than nothing, although I fear, having had to take a hit on pay, that if pay is not given in full that may still exclude some from taking leave. Certainly the statutory minimum is better than nothing, and a step forward for those employers that currently do not provide such support.

**Kevin Foster:** Does the shadow Minister agree that this is about setting a floor, not a ceiling?

**Bill Esterson:** Yes, I agree. I believe that bereavement pay rightly has the support of the whole House. It is important that it is state funded and that HMRC is liable. That will minimise the risk of people not being paid—the point was made by my hon. Friend the Member for North West Durham in Committee—which is necessary because of the exceptional nature of the leave and the pay that needs to come with it. For those reasons, I also agree that there should not be a qualification period before a bereaved parent is qualified to receive the pay.

I want to pick up on some of the points raised by the hon. Member for Torbay (Kevin Foster). There is a challenge in ensuring that everybody benefits from the Bill, for example self-employed people who are currently not able to receive social security. This week the Federation of Small Businesses pointed out that it often takes two to three years to fully establish a business. The current rules on universal credit, which apply for only one year, are a very real concern in supporting self-employed people. There is a similar challenge here in supporting self-employed people through parental bereavement pay.

The flipside, of course, is the impact on employers. As someone who has run a small business, I can say from experience that when a key member of staff is not available it impacts the business. That is also true for larger businesses, but it is easier for them to make alternative arrangements. We need to recognise the impact on small businesses. This is about getting the balance right. It is only right that members of staff receive
bereavement pay and that the statutory minimum is recoverable by the employer. The ongoing challenge will be how smaller firms in particular are supported when a key member of staff is absent.

My hon. Friend the Member for Lincoln (Karen Lee), from her own very sad experience as a nurse, demonstrated just how difficult it is for a member of staff who has suffered a bereavement to return to work and to carry out their normal duties. It is not straightforward to say that for a smaller firm staff should have to get back to work. Sometimes it is simply not possible for people, when they have suffered a bereavement, to return to work and carry out their duties. The challenge is very difficult for both the employer and a bereaved member of staff, and I hope the Minister will pick up on that point in his response to the debate. I do not say that there are any easy answers, but it is right that we are able to discuss the issue.

It was surprising to see the contradiction between some of the amendments tabled by the same Members. One asks that no notice be necessary for leave, while another asks that reasonable notice be given.

Michael Tomlinson: I am grateful to the hon. Gentleman for giving way. I remember serving on my very first Bill Committee when he was my equal and opposite. Is it not often the case that amendments are tabled to be probing? Alternatives are put forward that would be equally suitable and that is a perfectly logical and rational way to have a sensible debate.

Bill Esterson: If the hon. Gentleman thinks that by doing so he can waste time and delay the debate on the next Bill, and that that is a reasonable way to proceed, he is entitled to his opinion. I will give him this: it is logical to do so for the reason he outlines, but I sense from Government Members that my suspicions have been confirmed. I understand there is a reason to have a discussion on some of the points raised in the amendments, but I think it is a shame if they are being used to delay or scupper the next Bill. It is very important that we get notice period right and I am sure the Minister will pick up on that in his response.

11.15 am

The Minister will have listened to the points that have been raised by Members during this debate. He will be aware of what was said on Second Reading and in Committee on how the Bill might be improved. I am sure he will have taken on board points about flexibility in taking leave, what it means to be a parent or a carer to a child, and how long the entitlement to paid parental leave should be. I look forward to us passing the Bill after a short period of time today and to its proceeding into law as soon as possible.

Michelle Donelan: I am delighted to have the opportunity to speak. My heart goes out to everybody who has been affected by a bereavement. I take my hat off to all Members who have contributed to the debate who have personally endured loss themselves. It is a very brave and remarkable thing to share with the House. Their experience will enable others to have a better experience.

I cannot imagine going through parental bereavement, but if my constituents or I were to do so, I would expect employers to be generous. The Bill is meant to ensure the minimum of what employers should give to their employees. It is important to note, however, that some microbusinesses or small businesses just do not have the capacity to pay staff for a period of leave, and a member of staff might not be able to afford unpaid leave, so the provision of a statutory element is a great step forward. It will give employees more freedom to take the time to grieve and to deal with their loss. It will also give employers the benefit of knowing that they will be able to facilitate that while keeping their business afloat. I think that that is the right thing to do. It is right for taxpayers to be contributing. We have heard today that the cost will be £3.2 million, and I would argue that this is a very good use of that money. I know that my constituents will be delighted as I have already received a number of pieces of correspondence from them echoing that view.

Antoinette Sandbach: For those who lose a child in childbirth or before birth—for example a stillbirth—there would have been a cost to the taxpayer, had the pregnancy gone as planned, through payments for maternity or paternity leave. I would therefore argue that although the Bill will involve a small additional cost for the taxpayer, the burden would have been borne by the taxpayer had there been a birth without complications. This measure is a very important way to support parents during an utterly tragic time in their lives.

Michelle Donelan: I completely agree. The state and the taxpayer have a responsibility to contribute. If someone is given the amount of time they need to recover, the long-term benefit for businesses and the economy will more than pay back any financial cost.

The Bill is a modern and compassionate measure. It is surprising that most countries do not already make such provision. The Lullaby Trust says that the UK will be the first in the world to give employees time off work when they lose a child. The Bill will involve a small additional cost for the taxpayer, but I think it is a shame if they are being used to delay or scupper the next Bill. It is very important that we get notice period right and I am sure the Minister will pick up on that in his response.

James Cartlidge: I have been looking for information about international comparisons, and the reason why there is not much of it is because no one else does this. It is heartening to think that we will be leading the way, and that will be in no small part due to those Members on both sides of the House who have fought so hard for these changes.

Michelle Donelan: I completely echo my hon. Friend’s comments. I pay tribute to my hon. Friends the Members for Thirsk and Malton (Kevin Hollinrake) and for Colchester (Will Quince), as well as everybody else in the House who has contributed to the Bill, including all members of the Public Bill Committee. The Bill commands cross-party support, as well as support from the public, who will note today’s debate and see that Parliament sometimes really is in touch with people and their needs.

I echo comments about the fact that when employers are very generous towards their employees, it fosters a sense of loyalty and respect among them. I am sure that employers’ ability to offer this additional support will
go some way towards developing that even further. Some of the amendments relate to the amount of leave that can be given. I honestly think that we can never quantify the length of time that it takes to get over a loss—in fact, we never really do get fully over a loss, be that of a child or anybody else who is significant in our lives—so I question whether the time being allowed is enough, although it is a good start. The whole point is that the Bill is supposed to set out the minimum, and we might revisit this and look to increase the time through secondary legislation.

We have discussed when people can take leave. There is a strong argument that an eight-week period is too arbitrary and very strict, because of such things as inquests, anniversaries and the dates when it really hits home. We must also remember that the Bill offers statutory pay, and people who only get that might not be able to afford to take time within those eight weeks. They might have to save up or make provision as a result of debts or the unexpected bills that people have to pay when someone dies. They might also not be ready for those losses. We cannot expect that somehow their financial burdens will suddenly disappear—that can take time.

We have heard an interesting discussion about the age of the child. It is important to remember that no matter how old someone’s child is, they are still that person’s child. Whether someone is 18 or 40, the loss is still huge, and Members have mentioned their personal experiences of that today. There is an argument for increasing the age from 18. We might not be able to do that in this Bill, but perhaps we can look at the position again. I echo the comment from my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) that the burden would probably not increase fivefold, because a lot of people will be retired by the time their child is lost. It is important to remember that not everybody will take up the offer, and some employers would offer their own scheme, so their employees would not be looking at the statutory benefit. We can explore this area more, and I think that further research and investigation needs to determine the cost to the taxpayer if the provision were extended.

Kevin Hollinrake: My hon. Friend is making some excellent points. As I am sure she is aware, there is a consultation on many of the issues to which she refers. I absolutely accept that we need to consider the eight-week window, for example, and that is one matter that is subject to consultation. I urge her and any Members who may have an interest in this, as well as constituents and charities, to submit evidence to the consultation, which I believe expires at 11.45 pm on 8 June.

Michelle Donelan: I thank my hon. Friend for his contribution. He made that point earlier and he is right that we need a law that is compassionate yet workable so that we can interpret it in an orderly fashion and implement it for everybody.

The consultation will also look at the definition of a parent. That is needed in today’s society more than ever before, as we have different types of families and family dynamics. Sometimes people have more than one mother and more than one father, and we need to be flexible when defining parents and understanding of the different roles that people play as primary carers.

Another important area is the self-employed, and I know that we will look at that as part of the Taylor review. I regularly speak in Parliament about making provision for the self-employed because although they are the lifeblood of our economy, they are too often forgotten and missed out from these types of benefits. Self-employed entrepreneurs are driving our economy forward, so it is important that we show just as much compassion and understanding to them.

I hope that this fantastic, modern, forward-thinking Bill will inspire other countries to follow suit. I hope not only that its provisions will set out the minimum that we expect from companies, but that we will revisit the Bill in the future and try to expand and build upon it.

Chris Philp (Croydon South) (Con): It is a great pleasure to follow the hon. Member for Chippenham (Michelle Donelan) and to speak in such an important and moving debate. I start by congratulating my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on piloting this private Member’s Bill through the Commons—I hope it will conclude today—with forward, so it is important that we show just as much compassion and understanding to them.

I also pay tribute to members of the Bill Committee, who clearly improved the Bill with such diligence and thoroughness. I gather from comments that have been made today that the hon. Members for North Ayrshire (Patricia Gibson) and Arran (Antoinette Sandbach), for Torbay (Kevin Foster), and for Colchester (Will Quince). I apologise if I have missed any Committee members out. I hope that this fantastic, modern, forward-thinking Bill will inspire other countries to follow suit. I hope not only that its provisions will set out the minimum that we expect from companies, but that we will revisit the Bill in the future and try to expand and build upon it.

Kevin Foster: Does my hon. Friend agree that the priority is that the provisions do not become a cliff edge, meaning that we do not have people’s 18th birthday as the absolute marker? Actually, when we read the Bill, we see that it could apply not only to someone under 18, as the parent of someone who dies on their 18th birthday may end up qualifying. However, the issue is making sure that this age is seen as a bare minimum, not a ceiling.

Michelle Donelan: I thank my hon. Friend for his contribution. He made that point earlier and he is right that we need a law that is compassionate yet workable so that we can interpret it in an orderly fashion and implement it for everybody.

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Michelle Donelan: I thank my hon. Friend for his intervention and for clarifying that very specific time of 11.45 pm. I will urge all my constituents to contribute to the consultation, especially those who can bring their own experience to it.

Kevin Foster: Does my hon. Friend agree that the priority is that the provisions do not become a cliff edge, meaning that we do not have people’s 18th birthday as the absolute marker? Actually, when we read the Bill, we see that it could apply not only to someone under 18, as the parent of someone who dies on their 18th birthday may end up qualifying. However, the issue is making sure that this age is seen as a bare minimum, not a ceiling.

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Chris Philp (Croydon South) (Con): It is a great pleasure to follow the hon. Member for Chippenham (Michelle Donelan) and to speak in such an important and moving debate. I start by congratulating my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on piloting this private Member’s Bill through the Commons—I hope it will conclude today—with such skill and deftness, which we have come to expect from him.

I also pay tribute to members of the Bill Committee, who clearly improved the Bill with such diligence and thoroughness. I gather from comments that have been made today that the hon. Members for North Ayrshire (Patricia Gibson) and Arran (Antoinette Sandbach), for Torbay (Kevin Foster), and for Colchester (Will Quince). I apologise if I have missed any Committee members out. I hope that this fantastic, modern, forward-thinking Bill will inspire other countries to follow suit. I hope not only that its provisions will set out the minimum that we expect from companies, but that we will revisit the Bill in the future and try to expand and build upon it.
go far beyond anything contemplated by European Union legislation. This Bill is evidence that we are doing more, not less, when it comes to employment rights and other rights.

I turn to the first group of amendments—amendments 1, 2, 12 and 14—tabled by my hon. Friend. Amendment 1 would extend the definition of parents in this context beyond simply biological parents to include people who are acting as the deceased child’s principal guardian. Amendment 2 would include grandparents when they act as the child’s principal guardian. Those amendments are absolutely right in spirit. I am interested to hear whether the Minister thinks that these things need to be in the Bill—these amendments would do that—or whether they can be dealt with in regulations. Whichever approach is adopted, the spirit and thrust of my hon. Friend’s amendments are absolutely right. It is clear that whoever is caring for the child—the biological parent, a grandparent or a foster parent—they have an equally close connection to the child and would suffer the same level of anguish as a biological parent would. I therefore agree very strongly and wholeheartedly with the amendments that my hon. Friend has wisely tabled.

Kevin Foster: I appreciate the comments that my hon. Friend has just made about the amendments. Does he agree that we must focus on not ending up with a scenario in which a primary care giver—someone who has been a parent in almost all senses of the word—has no access to leave, while, in theory, an estranged biological parent could suddenly have that access? We must reflect the impact on the person who has been doing the parenting.

11.30 am

Chris Philp: My hon. Friend has put it extremely well, far better than I did. It is, of course, right for us to focus on the primary carer, whoever that may be.

Amendment 21, tabled by my hon. Friend the Members for Torbay and for Mid Dorset and North Poole (Michael Tomlinson), would extend the definition of a child to a son or daughter beyond 18. The hon. Member for North Ayrshire and Arran has tabled similar amendments—24 and 25. I must say that I was undecided on the merits of the amendments, but, having heard what was said by those Members—as well as the hon. Member for Sefton Central (Bill Esterson)—I can see the force of the argument.

I had initially thought that a line must be drawn somewhere when it comes to these rights, and that if a child of any age is to be included, it might equally be suggested that the same should apply to a deceased sibling, or, indeed, a deceased parent or spouse. The emotional attachments to those other relatives are, in many cases, just as strong as the other attachments that we are discussing. Wherever the line is drawn, there will be relations just on the other side of it, with equally strong attachments, to whom the provisions do not apply. The fact that there is a line somewhere does not suggest that there should be no line at all; the question is simply where to draw it. However, I was powerfully moved, in particular, by what my hon. Friend the Member for Mid Dorset and North Poole—who is not currently in the Chamber—said about his brother. I appreciate that there are very powerful arguments on both sides.

James Cartlidge (South Suffolk) (Con): My hon. Friend is making a very good speech. Some powerful arguments have been made on both sides about the 18 threshold. Is my hon. Friend at least reassured that, as I understand it, parents of those over 18 would be covered by the “reasonableness” provisions?

Kevin Hollinrake indicated assent.

Chris Philp: I see that my hon. Friend the Member for Thirsk and Malton is indicating his agreement with my hon. Friend’s point, and that is certainly good enough for me. I do take comfort from the fact that the “reasonableness” provisions would apply for children over 18. However, it is a difficult question, and we have heard some powerful commentary on it from Members on both sides of the House.

As my hon. Friend the Member for Colchester has just returned to the Chamber, I want to comment on an amendment that he tabled in Committee, which was passed unanimously and which extended the Bill’s provisions to stillborn children born after 24 weeks of gestation. I know that my hon. Friend has had a very tragic personal experience of that. I strongly welcome and support that extension, and I congratulate him on the amendment, but let me observe in passing—to the Minister in particular—that, perhaps not in this Bill but on some future occasion, we might also consider entitlement to parental leave for the parents of very premature children who are lucky enough to survive.

I am one of those parents. My twins were born after 25 weeks and one day, which is extraordinarily premature. They were very lucky—blessed, in fact—to survive. I remember that night in the intensive care unit, where, as the Minister can imagine, there were so many parents who were extremely distressed, whatever the precise circumstances that their children were in. I ask the Minister to consider providing for extra parental leave in the case of very premature births, although this Bill may not be the right place to do it, and it may be too late to introduce amendments. The experience of parents with children in neonatal care units after 20-something weeks of gestation is very difficult. However, the amendment tabled by my hon. Friend the Member for Colchester at least improves the Bill in that regard.

Amendment 7, also tabled by my hon. Friend the Member for Torbay—he has clearly been working extremely hard—makes it clear that, while the employee could receive additional pay from the employer above and beyond the statutory minimum, only the statutory minimum would be reimbursed by the taxpayer. My hon. Friend pointed out in interventions on the hon. Member for Sefton Central that the statutory minimum is just that: it is a floor, not a ceiling. Although that is the extent of taxpayer support, I am sure that Members on both sides of the House would strongly encourage employers to reimburse employees at their full rate of employment during periods of compassionate leave, for that or for any other reason. I hope that any employers who are listening to the debate or reading the report of it will take careful note of that exhortation. As one who set up and ran businesses for 15 years before being elected, I know that my businesses would always have taken such action without question.
Kevin Foster: I can confirm that my hon. Friend’s interpretation is correct. I wanted to make clear what the statutory minimum was, but this is, of course, about a floor and not a ceiling. Employers would be welcome to go further: the amendment would not change that.

Chris Philp: I am grateful to my hon. Friend for his additional clarification. We are in complete agreement.

Speaking of complete agreement, I want to make one more point about the amendments. It relates to amendment 9, also tabled by my hon. Friend. Friend the Member for Torbay, assisted on this occasion by my hon. Friend the Member for Mid Dorset and North Poole. The amendment proposes the introduction of a test of reasonableness in relation to notice periods, to which a number of Members have referred.

Clearly, in circumstances of probably unexpected bereavement, requiring parents to comply with potentially quite prescriptive and very detailed notice periods would not be appropriate. As other Members have said, it would present the risk that a bereaved parent might inadvertently fall foul of one of those notice periods. I think that there is a strong case for a general requirement—either in the Bill, which is the aim of the amendment, or in subsequent regulations—for employers to act reasonably in this context. Such a catch-all would, I think, provide a general level of protection and reassurance for bereaved parents.

I know that other Members want to speak. Again, I congratulate my hon. Friend the Member for Thirsk and Malton: I am delighted to be here today to support this excellent Bill.

Robert Courts: (Witney) (Con): It is a great pleasure to speak in the debate. I have been greatly moved by what has been said by Members in all parts of the House. Others may agree that the House is shown at its best when it works on a cross-party basis—when it listens to Members who speak about their individual experiences and who speak with passion and knowledge. I salute all those who have done so today: their speeches have made a great impact on me and, I am sure, on my constituents and the whole country.

We are debating a very important piece of legislation, but perhaps one of its effects will lie outside legislation. As anyone who has experienced bereavement will realise, one of the initial feelings is isolation—the sense that friends or family are not coming to see them or a feeling of distance from their employers. I hope that those who are watching the debate or who read the report later realise how much they are not alone. They are listened to, and many Members on both sides of the House have their interests firmly at heart and are doing everything they can to help.

I warmly welcome the Bill, and I pay tribute—as others have, but it bears repetition—to all those who have argued this case so compassionately and for so long. My hon. Friend the Member for Colchester (Will Quince) has been one of the leading lights, and he introduced a version of the Bill that sadly did not make it past the general election. The Government have picked the issue up and support the Bill—it was in the Conservative party’s manifesto—and I thank them for doing so. My hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) has, in the words of my hon. Friend. Friend the Member for Colchester, picked up the baton—a nice way to put it. It is important to remember that this is very much a team effort, and several Members supported it in the recent Westminster Hall debate and the baby loss awareness debate months ago, in which I was deeply honoured to speak. I thank everyone involved enormously, because many people in West Oxfordshire will be feeling grief and loss but be heartened to see that so many people in this House are seeking to help them.

I am also pleased that, while some other countries have similar rights, we will be world leaders in introducing this level of rights and protection. That makes it sound a little too inhuman—it will be a level of reassurance and human compassion that will be world leading. I am proud to be able to make a few brief comments in support of the Bill and on the amendments tabled by hon. Members on both sides of the House to attempt to improve the Bill, which is of course to be highly commended.

Amendments 1, 2, 12 and 14 deal with definitions and whether we should be dealing solely with literal parents. I do not think that we should be prescriptive and that only biological parents should be the beneficiaries of assistance under this legislation. Clearly, as we will all know from our constituents, many people can be involved in caring for a child: the biological parents or foster parents, or others who it is difficult to foresee in legislation but who may be deeply involved in a child’s upbringing and be devastated by its loss. We should be as flexible as we can to ensure that people, however they are connected—whether they have a caring responsibility in a formal sense or in more of a moral sense—are equally protected and assisted by this legislation.

We will need some clarity, and the Government are consulting on this and listening carefully. It is a drafting issue and we will have to ensure that the Bill is phrased to provide breadth and width, but also clarity. We must make it clear in passing the legislation that we are seeking to help those who are bereaved having cared for a child and that we do not want to be prescriptive about particular classes of carer.

Kevin Foster: Does my hon. Friend agree that the firm message that we want to send to the Minister is that the definition of “parent” is about parenting, not biology and blood lines?

Robert Courts: As so often, my hon. Friend makes the point that I was seeking to make, but more succinctly and eloquently. He is right: it is parenting, not being a biological parent, that I am seeking to stress, and I am sure we all agree on that.

Amendments 3, 5, 22 and 23 deal with when leave can be taken and for how long. I am humbled to speak in this debate, as I have heard so many moving stories from those who understand only too well the nature of grief. I hesitate to express my thoughts, but I do so with the intention of being as helpful as possible. Grief is not a predictable phenomenon. People cannot know how long they will grieve for or what form their grief will take. Perhaps most strikingly, they have no way of knowing when it will strike. It may be immediate. However, as we have heard, people often find different coping methods. They may decide to carry on. Going back to work and immersing themselves in the hubbub of everyday life makes them feel better for some time, but sooner or later grief hits and they may then need leave from their employer.
I was particularly moved by some of the comments and interest to the arguments that have been made, and the argument essentially is that maximum, and it may be that for some people taking a relatively short time away from work before getting back into things will help. Of course, one of the aspects of the human condition is that we are all infinitely different, and it is impossible to legislate prescriptively so that we cover everybody. That is why maximum flexibility is to be commended.

To my mind, amendments 6, 21, 24 and 25 are grouped together under the heading of age and whether being a child ends at 18. I have listened with great care and interest to the arguments that have been made, and I was particularly moved by some of the comments from the hon. Member for North Ayrshire and Arran (Patricia Gibson). The argument essentially is that somebody does not cease to be a child just because they go over the age of 18; when they are 18 and one month old they are still just as much somebody else’s loved one and child as someone aged 17 years and 11 months would be. We have also heard about cases where the people concerned were very much older. My gut reaction would be: we have also heard about cases where the people concerned were very much older. My gut reaction would be. We therefore need to be flexible in considering when grief may strike and when leave needs to be taken and for how long. It is my view that it should be possible for someone to take leave at a later stage, months or even years later. We will not achieve what we seek to achieve with this Bill if we cannot be flexible in that regard.

I appreciate that this is meant to be a minimum standard, not a maximum. I am grateful to the Government for supporting the Bill, and I would not wish to do anything that would delay it or put a spanner in the works; nor would I wish to over-complicate it so much that it cannot be brought into force, but it is important to have the maximum flexibility for those affected and for employers, not just in when leave is taken but for how long. We are looking at a minimum standard, not a maximum, and it may be that for some people taking a relatively short time away from work before getting back into things will help. Of course, one of the aspects of the human condition is that we are all infinitely different, and it is impossible to legislate prescriptively so that we cover everybody. That is why maximum flexibility is to be commended.

While that is my wish, however, I listened carefully to the interventions made by my hon. Friend the Member for Colchester, and my overriding desire is that this legislation gets on to the statute book. If it just sets a minimum level, we do not have to say that that is it, the story is closed and we can never amend it again. We can come back to it: we can either amend this legislation through regulations or come back and debate it again, and campaign, as we are so used to doing, to ensure that we provide a higher standard. I would not like any changes to be made now that mean either the Government are unable to support the Bill or employers feel that it is too onerous on them, and as a result we do not have these much-needed protections. It must be our foremost concern today to put these protections in place.

The last group on which I want to comment is those that address notice periods: amendments, 9, 10, 11, 15 and 17. I think that an element of practicality is intended here, and I would certainly not wish to see anything in this Bill that requires people, at a time of profound distress, when their world has been turned upside down and they cannot think straight, to have to worry about filling in forms or jumping through hoops or having to comply with something, which, as my hon. Friend the Member for Croydon South (Chris Philp) said, might mean they inadvertently fall foul of a regulation.

We are seeking to provide legislation that is compassionate and sensitive. The requirement for any notice period to be given must be very light touch and amount to nothing more than people simply telling the employer that this tragedy has occurred and they would like to go off for a certain period. That is reasonable to enable the employer to provide some cover for the job they are undertaking at that time, but I certainly would not want to see requirements put in place—perhaps involving training—and people having to worry about whether they have complied with them. That would be running completely counter to what we are trying to achieve here.

Kevin Foster: Does my hon. Friend agree that that is the benefit of saying the notice must be reasonable or, as amendment 17 from my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) proposes, giving as much scope as possible about how this notice can be provided, so that there is not a written form that people must be aware of and fill in?

Robert Courts: My hon. Friend powerfully makes the very point I want to make. For any human being, burying a child is profoundly distressing, as it goes against our very nature as humans. We therefore should not even countenance saying that people should not be able to avail themselves of assistance just because their child is older; that would go against what we are trying to achieve.

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circumstances, and legislation already exists to deal with anyone who takes such an extreme course of action. My overriding concern is to ensure that bereaved parents and carers are looked after and helped. That must be what we are seeking to do here, rather than setting up bureaucratic hurdles for them at a time when they really do not require them.

I am grateful to the House for listening to me. Suffice it to say that I support the Bill, which, although overdue, is very welcome. I wish it a speedy passage, and I congratulate once again those who have taken the standard forward and taken the Bill through the House. I commend all those who have spoken with such total bravery today. It is not easy for them to stand up in public and explain things that are so personal, but the Bill shows the enormous impact that they can have when they do so. I salute all hon. Members who have done that today and on other occasions.

Nigel Huddleston (Mid Worcestershire) (Con): It is a pleasure, as always, to follow my always eloquent hon. Friend the Member for Witney (Robert Courts). I rise to speak briefly to amendments 2, 3, 5, 6, and 22 to 24. I should like to thank the hon. Member for North Ayrshire and Arran (Patricia Gibson) and my hon. Friend the Member for Torbay (Kevin Foster) for being so diligent in tabling so many amendments that are clearly intended to improve the Bill. As others have said, however, we need to be careful not to let the perfect be the enemy of the good, and it is the clear consensus of the whole House, and indeed the country, that we have to get the Bill passed.

I thank my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) for bringing forward the Bill in such a considered manner, and for working so closely across the House and with the Government to ensure that we really make this happen. Like others, I also want to pay a sincere tribute to my hon. Friends the Members for Eddisbury (Antoinette Sandbach) and for Colchester (Will Quince), who have championed this cause, and related causes, for so long and with such eloquence and passion. Their truly heartfelt speeches have shown this House at its best, today and on many occasions over the past few years.

I have a few constituents—I am glad to say that the number is relatively small—who have had direct experience of child bereavement. However, a large number of my constituents have contacted me to say that they support the Bill. Although a relatively small number of people have experienced the pain of losing their child, everyone can sympathise with the pain and anguish that such an occurrence brings. The loss of a child is an unbearable experience—perhaps the worst form of bereavement that a person can suffer—and we must ensure that parents are supported throughout what must be one of the hardest periods in their lives.

I want to talk about the numbers, because they are important not only for the amendments but for the overall Bill. Sadly, thousands of parents each year suffer the devastation of losing a child. The Office for National Statistics data shows that 4,300 children under the age of 18 died in Great Britain in 2016, affecting 8,000 employed parents. However, using that data and taking into consideration the assumption that some separated parents may have new partners with direct parental responsibility, the Bill’s impact assessment estimates that as many as 11,500 people will have been directly affected in 2016. So we are talking about more than 100,000 parents or carers being impacted over the course of a decade. That is not an insignificant number, and we need to consider that carefully.

There are three groups or areas that I wish to speak to today. The first, covered in particular by amendment 2, deals with extending the Bill to cover not only parents but grandparents and others with caring responsibilities. This is an important aspect, as my hon. Friends the Members for Croydon South (Chris Philp) and for Chippenham (Michelle Donelan) have mentioned. We need to think carefully not only about parents but about all those who have parenting responsibilities in the modern age. The situation is not the same as it was 30 or 40 years ago. We need to think particularly about grandparents, as my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) has said. Grandparents are a group of people whom I champion, as I believe that they are underserved by legislation in this country today. It is important that we show them proper recognition in law.

The second grouping of amendments relates to the period in which the leave can be taken. This is addressed in amendments 3, 5, 22 and 23. The Bill allows for a minimum of two weeks' bereavement leave for eligible employees, but how those two weeks may be taken—all in one go, for example, or perhaps in various non-consecutive blocks—has been left undetermined. I have great sympathy for the sentiment behind amendment 22, which calls for flexibility on when entitled leave can be taken. Grief affects each of us differently, and while it may suit some bereaved parents to take two weeks off in one go, that will not be true for everyone. After all, the Bill intends to provide additional support to parents mourning a loss, and to be truly beneficial there should be some flexibility in the entitlement so that parents can use it to best suit their individual needs.

12 noon

As my hon. Friend the Member for Torbay mentioned earlier, there are events or certain days—birthdays, anniversaries, holidays and so on—during which the mourning and the emotional toll must be greater than on other days, and it is important to show some consideration of that reality in what we are doing today. Similarly, the length of time between a death and the funeral can vary significantly between different religions, and mourning parents may want not only to take leave in the immediate aftermath of the death, but to set time aside to be away from work around the funeral. I am mindful that that desire must be balanced against giving employers reasonable certainty for planning and minimising disruption to businesses, but I am confident that that can be worked around. As was said earlier, most employers in this country are reasonable, and I hope that that will continue.

The next grouping of amendments that I want to discuss relates to the age and definition of a child, which is addressed in amendments 6 and 24. Nobody expects to bury their son or daughter, and it goes against nature for a parent to lose a child. That is true whether a child is of school age or grown up with children of their own, but there is something different about the loss of a child, because the number of years of life lost is greater—the number of years that they
could have contributed to the joy of a family or enjoyed a family themselves. Things are slightly different if the child is younger, but I do not want to understate the loss of a child at any age: we all feel something innate and instinctive about such a loss. How we reflect that in law, or whether it should be reflected in law, has been debated with great care today, but my instinct is still that the age of 18, which is currently recognised in law as the age of adulthood, seems to be the right age if we need to draw a line and include some parameters.

**David Linden:** From evidence given to us by CLIC Sargent, we know that the NHS provides cancer treatment and with anybody who suffers this huge pain in the future, my colleagues and constituents have. It is right that we anguish and pain of losing a child, as far too many of our constituents ha ve indicated, if that might jeopardise the overall vote. I will encourage those who have tabled amendments not to push them to a vote, as I think they are being ruled on the basis of others, but I will encourage those who have tabled amendments to contribute to that debate.

If we do extend the definition to beyond 18, how much more would it cost? Five times more has been mentioned but, again, that means £15 million. Spending £15 million out of some £800 billion of Government expenditure to do something compassionate that is so widely supported is worthy of further consideration, so I ask the Minister to examine that carefully. I understand that the matter is subject to further consultation, so I encourage people to contribute to that debate.

As I said at the beginning, this is one of those topics that shows the House at its best. I will not delay proceedings further by repeating the comments made by others, but I will encourage those who have tabled amendments not to push them to a vote, as I think they have indicated, if that might jeopardise the overall vote.

I completely support the Bill. I have never had to go through, and hope never to have to go through, the anguish and pain of losing a child, as far too many of my colleagues and constituents have. It is right that we pass this law today to show that we stand with them, and with anybody who suffers this huge pain in the future, and to show that the Government are on their side.

**James Cartlidge:** It is a pleasure to follow my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston), who made an excellent speech. I join him and others in congratulating my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on introducing the Bill.

While this has been a cross-party effort—I congratulate everyone who has contributed—I am particularly proud to be part of a cohort of heart-on-sleeve-wearing compassionate Conservatives who have done their constituents and their country proud by delivering change in an area that really matters to people. The cost of the Bill is tiny, as we have heard, but the cost to people who experience bereavement is immeasurable. I hope that I never experience such bereavement. Indeed, I regard myself as incredibly fortunate to have had four healthy children.

I rise to speak to amendments 22 and 8, and briefly to amendments 21, 24 and 25 on the cut-off point. On amendment 22, the hon. Member for North Ayrshire and Arran (Patricia Gibson) and my hon. Friend the Member for Torbay (Kevin Foster) spoke extremely well about the way in which the period of leave will be taken and the need for flexibility.

I have four children, and I was a self-employed company owner. When I had the first two, the company was basically just me, so I did not really take leave. When I had Nos. 3 and 4, I was fortunate that the company had a few more staff, so I was able to take proper leave—Nos. 3 and 4 came at the same time, meaning there was somewhat more need for my support. That period soon ran into the selection process for my constituency and a lot of time pressure, so I was pleased to be in that position, but of course many people are not.

The consultation, entirely reasonably and rationally, says that in considering the structure of the time block for this leave, we will consider the existing arrangements for maternity and paternity leave. Whenever we legislate, it is entirely rational that we look at existing measures so that we do not reinvent the wheel. Page 13 of the consultation says:

“The Bill has mirrored existing provisions for family related leave and pay rights where possible and, in particular, Paternity Leave and Pay. But where the detail is left to be set in regulations, the regulations could be different to those for existing rights.”

This is the key point:

“Paternity Leave and Pay cannot be taken in separate blocks of a week: a father or partner is merely able to choose whether to take just one or both of the weeks available.”

I have been particularly moved by the arguments made today that underline why bereavement leave is very different from paternity leave, and why the circumstances could require extra flexibility.

The hon. Member for North Ayrshire and Arran gave good examples of why we might want flexibility. She talked about court hearings—I think there is a different phrase for inquiries in Scotland—and the fact that more flexibility might be needed in such circumstances. It is important that what we do in this place mirrors what happens in the real world.

In contrast, when I think back to being a new dad, it seems rational that paternity leave is taken in a single block, ideally when the child is born, when help is most needed. With my first child—my daughter—I well remember the intensity of those early days, when I prayed every hour that the baby would at some point sleep through the night. There is an early period of intensity that a parent sincerely hopes will reduce, which is why there is sense in taking the block together. That is a rational position. We have heard powerful examples from hon. Members about the need for flexibility on bereavement leave, however, so I hope that the Minister will respond to them.

**Kevin Hollinrake:** My hon. Friend is making some excellent points. It might not seem that we have best reason for taking this approach; as he rightly points out, the flexibility required in the circumstances of
bereavement is entirely different from that needed in the case of paternity leave. However, the difficulty we are dealing with relates to processes in Her Majesty’s Revenue and Customs and its ability to deal with statutory pay. The bureaucracies that support the decisions we make in this House should not necessarily drive our thinking, but they are a consideration to which we must pay due regard.

James Cartlidge: I thank my hon. Friend for clarifying the point. Indeed, I did note that from the consultation document, which referred to that fact that the benefit itself limits the flexibility. We all know how difficult it is to change systems, and we can well imagine the difficulty in the social security system, with employer software and so on, in giving out the benefit on the basis of sporadic days. However, there would still be merit in someone having the ability to take unpaid one-off days. I think most people would rather have that freedom, even if it is not possible for it to be covered by the statutory pay they would receive because of the limitations of HMRC’s and other systems.

Kevin Hollinrake: My hon. Friend makes a good point. Underpinning all this are the general principles and our expectation that employers would be understanding, sympathetic and flexible in how they deal with this situation. We are setting out the minimum requirements, but we would expect employers to show that compassion and flexibility when dealing with how people take the leave.

James Cartlidge: I am grateful for that intervention and do agree with it. If we were to have the single block but there was an exceptional reason to grant an additional day—or even that—at a future point, most employers would be prepared to do so. In most cases, employers will act reasonably as long as a reasonable request is made.

Amendment 8, which was tabled by my hon. Friend the Member for Chippenham (Michelle Donelan), is important as it touches on defining the employment status that someone must have to be eligible for these new rights. Proposed new section 80EB (1)(c) of the Employment Rights Act 1996 states:

“an employee who is absent on leave under that section is entitled to return from leave to a job of a kind prescribed by regulations”.

That prescription therefore relates to the type of employment, with the word “employee” being crucial. The issues arising from the Taylor review and the changing nature of employment have already been mentioned, and we have to discuss the extent to which these rights would be available to employees in those newly growing, ambiguous areas.

My hon. Friend the Member for Chippenham referred to the self-employed, but of course we are not talking about a homogenous group. Before the general election, when I served on the Work and Pensions Committee, we held an inquiry on the gig economy—this growing army of the self-employed. We heard evidence about cases in which people are, to all intents and purposes, employees. On this amendment, my question for the Minister is: in defining jobs and defining people as an “employee”, are we able to award these benefits—these rights—to those defined now as “workers”? I refer to those people in between employment and self-employment. Are we able to do that, or do we need to introduce separate regulations to do so?

That is an important point, so it is handy that I have a copy of the Taylor review. The Bill amends the primary piece of legislation to which it relates—the 1996 Act—and we are dealing with the important distinction between an employee and a worker. I remind the House that the 1996 Act states that an “employee” means an individual who has entered into or works under...a contract of employment.”

I will not go into the detailed definition in the report, but a worker is someone who has some form of contract.

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many months and then suffer bereavement, my view is that there is a strong case for suggesting that they should have the same rights as the employed.

Finally, on the amendments relating to the cut-off point, which is a difficult issue, the moral argument that was set out very well by the hon. Member for North Ayrshire and Arran is very hard to argue with. Who knows precisely what the cost would be of her amendments and those tabled by my hon. Friend the Member for Torbay on the cut-off point—my hon. Friend the Member for Mid Worcestershire made an estimate, and I am sure it would not be many, many millions— but I want to understand the extent to which those who would suffer from the cut-off point because their child was over 18 would still be protected under the provisions on reasonableness. After I intervened on my hon. Friend the Member for Croydon South (Chris Philp), he confirmed that his understanding was that they would be protected, as did my hon. Friend the Member for Thirsk and Malton, but I would be grateful if the Minister would confirm that someone would still be protected, even if their child was above the cut-off point, because that is very important.

In conclusion, this is a powerful Bill, and our proceedings are a classic example of Parliament coming together to deliver changes that appear small in terms of the legislation and the cost, but that will be enormously beneficial to those struck by a pain that is, for me, beyond understanding. I have nothing but the greatest sympathy for those who suffer bereavement. We should all be proud of this Bill’s progress. I very much enjoyed my time on the Bill Committee, and pay tribute to all my colleagues who served on that Committee. Indeed, it was also a pleasure and a privilege to speak on Second Reading of this Bill.

As many hon. and right hon. Members have said during the passage of this Bill, we are, to a degree, righting a wrong. Although many businesses do the right thing, as we would wish them to do, in looking after and supporting bereaved parents in the dreadful circumstances of having lost a child, there are some, as we have also heard, who have not done that. What this Bill does is not only to send a very clear message to all businesses but to provide a basic level of protection.

I pay tribute to my hon. Friend the Member for Torbay (Kevin Hollinrake). I think that this is his second private Member’s Bill and, like his previous one, it stands a very good chance of success. He is always someone to have in one’s corner when taking a cause through the private Member’s Bill process. I also pay tribute to my hon. Friend the Member for Eddisbury (Antoinette Sandbach), for Colchester (Will Quince), and, although she is not in her place today, my hon. Friend the Member for Banbury (Victoria Prentis) and, of course, the hon. Member for North Ayrshire and Arran (Patricia Gibson), all of whom have spoken extremely movingly, at different points, about their experiences and why this piece of legislation is so hugely important.

Edward Argar: It is a pleasure to speak at this stage of the Bill’s progress. I very much enjoyed my time on the Bill Committee, and pay tribute to all my colleagues who served on that Committee. Indeed, it was also a pleasure and a privilege to speak on Second Reading of this Bill.

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Let me turn to the specific amendments before us today. I can understand why each of them is hugely important, but we must also be careful that we do not try to make the perfect the enemy of the good. The key must be to get this legislation through the House. Amendments 22 and 23, tabled by the hon. Member for North Ayrshire and Arran, are essentially about flexibility, which was also highlighted in the amendments tabled by my hon. Friend the Member for Torbay (Kevin Foster). She makes an extremely valid point. If I recall, there are organisations, such as Together for Short Lives and Cruse Bereavement Care, which have all made the same point about the need for flexibility. Individuals and families cope and grieve in different ways, at different paces and at different times. Some will want to go straight back to work, while others will want time to grieve quietly. Equally, as we have touched on in previous comments, if there is an inquest or if the death has been sudden and unexpected that may well also increase the need for flexibility, because no one will know when they may need that time off.

Although I entirely take on board what the hon. Member for North Ayrshire and Arran said—I will be interested to hear whether the Minister will allude to this—it may be that the most effective way of addressing the points on flexibility is to feed them into the consultation, which is due later this year, and to use that as a mechanism to address them, rather than necessarily putting them in the Bill. I am entirely sympathetic to the points that she makes. I would be grateful if the Minister could say what he thinks is the best method by which to achieve that outcome.

We then turn to amendments 24 and 25, which were mentioned by my hon. Friend the Member for South Suffolk (James Cartlidge), about where the cut-off point should be. He was absolutely right in what he said. The hon. Lady made an extremely powerful moral case for her amendments. My hon. Friends the Members for Thirsk and Malton and for Croydon South (Chris Philp) were clear that the reasonableness test would address the issue, but, again, I would welcome clarity from the Minister on his interpretation of that.

Finally, let me address amendments 1, 2, 12, 14 and others on the definition of what a parent is in the context of this Bill. I argue that that is one of the hardest parts of getting this Bill right—how do we define the scope of what is a parent. There will be biological parents, and there will be the partners of someone who is not the biological parent, but still feels the bereavement as acutely. I believe that, in Committee, my hon. Friend the Member for Thirsk and Malton mentioned the case of Mandy Ruston who talked on Facebook about the fact that, while she was able to get support from her employer, her partner, a non-biological parent, was told by his employers to return to work.

It is extremely difficult, particularly in the modern age, for us to define who is a parent. Perhaps, rather than looking at a legalistic or biological definition, we should look at it in terms of caring responsibilities. The challenge is to try to find a legal definition for the purposes of legislation. This Bill goes a very long way towards doing exactly that. It is not perfect, but I have yet to see, in my short time in this place, any legislation that I believe is entirely perfect as it passes through this House, or indeed as it emerges at the other end. There
are always things that can be tweaked to reflect the changing nature of society or changing circumstances as the world moves on.

Throughout the passage of this Bill, we have heard a number of extremely moving, thoughtful speeches and contributions. As Members on both sides of the House have said, all those contributions have been made in a spirit designed to allow the Bill to progress and to work together to come up with the best legislation we can. With that in mind, the key for all of us must be to get the Bill on to the statute book. Where there are issues that still need to be ironed out, we should not shy away from that and we should continue to look at them, but the key must be not to let that slow down or impede the passage of the Bill. We should get the Bill on to the statute book and then we can, as necessary, refine and tweak by regulation or through the consultation.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I thank colleagues on both sides of the House for the moving speeches that they have made. As you may know, Madam Deputy Speaker, I usually try to start my addresses to this House with a quip or a humorous comment, but I am afraid that today is not an occasion for that. This is a very serious Bill. I am the third Minister to have had the honour of working on it. That is not because no one can be bothered with it, but because it is very important. Every human being, let alone every Member of Parliament, will have every sympathy with it.

Colleagues have made it clear that the Government fully support the Bill, and I reaffirm once again that it very much has our backing. Despite the public reading, quite rightly, of the system of opposition—some say that it is opposition for opposition’s sake and some say that people are being partisan—this is a very good occasion when the reality is not that.

I was in business for most of my adult life before first coming to this place, and I did not really think about this issue. When I first started to consider the Bill, I remembered an occasion when it was brought to my attention that someone had had a bereavement. I just said, not because I am particularly humanitarian or perfect but as anyone would say, “Take as much time as you need.” I think that the vast majority of employers do say that. Before there was statutory sick pay, statutory holiday pay and so on, I am sure that a lot of employers, even in the 19th century, just did what they thought was the right thing—for example, the non-conformists building houses in Bournville and elsewhere. Employers always have been, and certainly are in the present day, far more responsible than just relying on the minimum in law. However, it is our place to make laws to provide that basic minimum—not to insult those who do the right thing but to provide a safety net, or catch-all, for the employees of those who do not. Quite clearly, there are those who do not, and they should be ashamed of themselves, frankly.

Not every employer is like BT or a firm with tens of thousands of employees. My hon. Friend the Member for South Suffolk (James Cartlidge) mentioned that he had only two or three employees. That makes things much more difficult and employers have to be much more flexible. Big firms can make proper arrangements, and often do indeed have them. I have come across many cases of companies that have very responsible policies on this kind of thing, far and above what the law would provide, because that is the right thing for their employees.

12.30 pm

The political bit, I suppose, is that this was a manifesto commitment, but I think we all agree that it is the right thing to do. The navigation, as it is called, of the Bill has been by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake). He and I are latterly baton holders, to use an expression used before. I have not been known for my skill in relay races, but I am doing my best.

A number of amendments have been tabled for discussion, and I want to try to add to that discussion and give my response. Members have been very responsible in their contributions, saying that they have tabled amendments but explaining that they do not want to endanger the Bill by making anything other than constructive suggestions. I have learned through experience with my own private Member’s Bill and with Bills that I have dealt with as a Minister that everything is more complex than it first appears. Things might seem simple and we can all agree on them at the beginning, but when Members of this place and the other place consider them, we find that the devil is in the detail. That is the problem that Government and Parliament have to face all the time in a democracy. It would be easy just to have edicts and say, “That’s it—that’s what you’re doing,” but we have to try, through consultations and listening to both sides of the House, to improve the Bill without endangering what was originally intended, which is the most important thing.

I will begin with amendments 1, 2, 12 and 14, which concern the definition of a “bereaved parent” for leave and pay. On the surface, a bereaved parent is a bereaved parent. Without having to go into the detail of an Act of Parliament, it is very clear what a bereaved parent is. Of course, it is much more complicated than that. Amendments 1, 2, 12 and 14 address similar points, so I will try to cover them all together.

It is important that the Bill is seen as an enabling framework, which has the advantage of allowing time to be taken to get the necessary details right. That is not to say that time is wasted in considering those details, or that Government should merely wait to see what happens with the passage of the Bill before we take further steps—quite the opposite. In Committee, my colleague the Under-Secretary of State for Business, Energy and Industrial Strategy committed to publishing a consultation to look at key aspects of this policy. Consultations have got a bit of a bad name. Some of the more popular press say that it is just an excuse for the Government not to take a decision.

Bill Esterson: Surely not!

Richard Harrington: The shadow Minister makes a good sedentary comment, but I detect a note of sarcasm.

The serious point here is that consultations in which charitable bodies and other institutions make points based on their experiences are an important part of the legislative process, because that is where the detail comes in. I can assure Members on both sides of the House that this is not a can-kicking consultation or a formality.
[Richard Harrington]

It is very important. Anyone who is interested can submit a response, and the consultation is open until 8 June, so there is not long to wait. I feel that it is necessary. Sometimes consultations are formalities, but I do not think this is one of them.

Kevin Foster: I am reassured by some of what I am hearing from the Minister, but can he be clear that the Government will look at the results of that consultation with a view to being clear on primary care givers, rather than parents who are purely defined by biology?

Richard Harrington: My hon. Friend makes a good point, as is typical. He asked me whether I can be clear, and I can be clear that that is the case.

The definition of a bereaved parent will be the same in respect of both leave and pay for the Bill. We must not forget that this involves the two minimum rights, as I call them, of the leave that can be taken and the pay that goes with it. Those are the minimum rights, and I think many companies now fully exceed that. We have been clear all along that we want to introduce a system that prescribes clearly, based on the facts, who is eligible, for the benefit of employees and employers.

In some areas of employment law, legislation has been the right course of action. Legislation has set the principle, which employment tribunals interpret for particular cases, fleshing out how it should be applied. In this case, however, we do not want claims to reach employment tribunals. The regulations will be published in draft. Once the regulations are published—this is not a case of the Government responding to a consultation, we will look at the results of the consultation. We will look at the results of the consultation. That issue came up on Second Reading and in Committee, and each time it became clear that the question who should count as a bereaved parent, which on the surface seems very simple, is not easy to answer.

The consultation seeks to get that right, so that when the regulations are published—this is not a case of regulations being published so that Ministers and not Parliament take control—they are correct. The regulations must be simple, but they must also be comprehensive and include all circumstances. That is a difficult balance to get right, but we are doing our best. I agree with the spirit of the amendment, but it is not appropriate to accept any measure that will effectively pre-empt the outcome of that consultation. We must allow the process to run its course.

David Linden: Can the Minister say when the Government will respond to that consultation? Have they set a timescale for that? We cannot just go on waiting for a consultation response—I would not be so bold as to say that that has happened before—so can he say when the Government will report back?

Richard Harrington: I fully accept the hon. Gentleman’s point, and we cannot allow this to go on and on. I think that it was Mrs Thatcher who said she was going to “go on and on”, but this is not one of those cases—well, it was not in her case either, as the hon. Gentleman will know. In all seriousness, I cannot give a direct answer, not because I do not want to, but because we must see how much information there is and process it. If I say “weeks”, perhaps he will hold me to that. I know that “weeks” could mean 5,000 weeks, but that is not what I intend. I hope that will give him a rough idea, but we cannot just hold the consultation one day, have a knee-jerk response and finish it, as I hope that he understands. There is no intention to stall. I have seen the spirit of the House today, and I hope that no one will think that this is a governmental stalling mechanism—far from it.

Amendments 3, 5, 20 and 23 consider the window within which leave and pay can be taken, and amendment 22 concerns the flexibility with which leave is taken. Given that this measure will join a fleet of others related to family-related leave and pay, we must maintain consistency. That is the genesis of the eight-week window and the ability to extend that through secondary legislation. We cannot have a situation in which the enabling framework is inconsistent with frameworks for other family leave provisions, thereby adding complexity and potential confusion.

Today, we have heard the view that the current eight-week window might not be enough. I have heard that message. That is one key element explicitly considered in the current consultation, and it is legitimate to ask people other than politicians for their views on this issue. The decision that leave could be taken at a later stage, while retaining a minimum timeframe of eight weeks in the Bill, is not unreasonable. We cannot accept any of the proposed amendments without waiting for the outcome of the consultation and then making a decision in view of the responses. Hon. Members and their constituents must engage in the consultation process, because we need the evidence base on which the Government can take responsible decisions. We need as broad a base of representative evidence as possible.

Kevin Foster: May I clarify for my benefit and that of other Members that the idea is for eight weeks to be the minimum timeframe and that the leave can be broken? This is not about a solid two-week period.

Richard Harrington: That is exactly what the Government are trying to find out. It may be that that is not appropriate, but my instincts are that what my hon. Friend says is right. Bills like this are strange. The natural thing would be to have as much flexibility as possible for almost anything, because these circumstances are different—of course they are. Each is a terrible tragedy, and we have heard speeches from hon. Members across the House about their own experiences, and those of their families and constituents. Everyone is different. We do not want to have to force everything into a narrow hole.

Employers have to know where they stand, however, otherwise we are just asking them to be nice people and to behave humanely. We do say that, of course, but it is not enough. We have to provide a framework and a balance must be struck. I think that we all agree that we need to provide employers with a simple set of rules, not an over-complex set of rules. The odd time—thankfully, it is just the odd time—that such a terrible bereavement happens, we do not want employers to be rushing around looking for parents’ laws and guidelines. If an employer has only three or four employees, that is very difficult to do. I am sure their answer would be, “Take whatever you need,” but we have to provide the rules. I
am absolutely clear that the amount of leave and pay is a minimum entitlement, so that all families who lose a child are given the bereavement support they need. I believe it is the absolute minimum.

The Bill was never about making sure that each parent who finds themselves in this situation has all the time off they need, because grief is different for each person. Grief is never time-limited and I am sure any reasonable employer would not or could not give people enough time off to deal with their entire grief—grief will happen over the rest of their lives. The intention is to set a minimum entitlement that employers must provide and to encourage a culture of support to develop around child bereavement. I am sure many employers would take into consideration the mental health needs of parents after bereavement, or extra time to deal with other children affected. This is the minimum; it is not everything. I hope that employers do not think, “Well, that’s all we have to do. That’s enough.” It never is. I am sure all responsible employers know that.

We have to consider employers’ rights. They have to have a clear framework. They need to know, in a way that is easily understandable, the minimum the law entitles them to. This may be obvious, but most employers will never come across this situation. When it does happen to an employee in a smaller company, employers will not have experienced the situation before. They will not have a file in a human resources department to tell them what their rights are. We found a consensus among employer groups for the minimum leave period of two weeks. It is sensible to continue with that, as long as it is known that it is the minimum entitlement in the Bill. Bigger, more organised employers will develop their own enhanced bereavement policies, as big firms often have very clear policies for almost every possible contingency.

On removing the age limit for a child, I cannot imagine how difficult it is to lose a loved one. The point was made, I think by my hon. Friend the Member for Chippenham (Michelle Donelan), that a child is a child. My mother is 89, but I am still her child. That may be obvious, but when we think of children for the purposes of the Bill one can assume that we mean little children. As my hon. Friend said so eloquently, to lose any child is not what nature intended but unfortunately it does happen. I can well understand why amendments seeking to remove the age limit for a child have been tabled. Having a sick child is understood easily by people. The way things are changing mental health, thankfully, is spoken about more now. However, people do not come across child bereavement very often, so it can be more difficult to speak about. The numbers, however, are not insignificant.

We have tried to get the balance right between those affected and those who need to administer this provision. It provides the minimum level of entitlement, but it does not prevent employers from enhancing their policies. I do not like the idea of having to consider costs in these circumstances, but they are unavoidable. There is a cost to employers and to Government, and the broader the scope, the higher the cost, so it is important to focus on the fact that this is a framework and a floor, providing a minimum. However, in so many areas of life employers go far beyond what the law sets the minimum for. Holiday pay and sick pay are good examples, and I am absolutely certain that the bereavement pay should be too.

12.45 pm

Michael Tomlinson: The Minister is absolutely right: this is a statutory minimum. So many employers do so much better and I am sure that we all hope that they will continue to do so, but there has been this figure of a fivefold increase. It seems odd to be talking about money and financial costs in these circumstances. Can he explain, perhaps in more detail, the evidence that we have heard about a fivefold increase? Is it right that widening the scope and extending the age limit of 18 would increase it fivefold? If that is right, can he explain how?

Richard Harrington: I would like to consider my hon. Friend’s point. Perhaps I can drop him a line next week, or perhaps we can meet up and have a chat about it, because I do not want not to give a knee-jerk answer to a very complex question.

Kevin Foster: May I suggest that a letter with the information could be placed in the Library, given that we have discussed the issue on the Floor of the House?

Richard Harrington: Yes, I thank my hon. Friend very much for that suggestion. I would be very happy to do that and to correspond directly with my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson). We have to focus on the fact that this is a floor, as I think I have made clear. This is really about changing the culture around bereavement in general. It is my heartfelt belief that this Bill is not the be-all and end-all but that it will be a powerful driver of that culture change.

Alan Mak (Havant) (Con): My hon. Friend mentioned the desire for a culture change among businesses. Will he continue to engage with the many business representative organisations to make sure that that message from this House is clear and spreads out across the whole country?

Richard Harrington: Yes. As ever, the good citizens of Havant are very well served. I make the point clearly that I meet business representative organisations, such as the Confederation of British Industry, the EEF, the Federation of Small Businesses and chambers of commerce, on a weekly basis. They are very responsible and I shall be bringing it up with them. This is a culture change, but culture changes do not happen instantaneously.

On remuneration, I really believe that the Bill again provides the minimum standard for employers. Hon. Members on both sides of the House have spoken about the level, but this is a minimum level, and bereaved parents have to know what the minimum is and what the entitlement is. However, it is not something that they should be negotiating with their employers. I am sure again that employers will be clear, and most will have a policy that is greatly in excess of that.

While I am on the subject, I turn to a point made by my hon. Friend the Member for Torbay. When we were discussing the amendment that deals with remuneration, I was asked about the civil service and whether the Government will provide leadership. I am pleased to
announce today that we have decided that civil servants should receive full occupational pay for the one or two weeks that they take off under the Bill’s provisions.

[HON. MEMBERS: “Hear, hear!”] Many civil servants already take special leave when they find themselves in tragic circumstances, and we obviously want that level of support to continue when the Bill is implemented. I do not think that that makes the civil service particularly special. It should be standard, but I think we should lead by example. I have seen—not to do with child bereavement, but with sickness and other things—that the civil service is very flexible, and we as Government are very responsible employers in that way.

Will Quince: I thank the Minister for that very welcome announcement. It sends a very clear message to employers up and down the country that this is the gold standard and very much what we expect them to aspire to.

Richard Harrington: My hon. Friend is right: we must lead by example. Offering full pay to our own employees who lose a child means that we are a good employer, but it also provides a best-practice model for other employers to follow.

In relation to amendment 7, my hon. Friend raised an important point about consistency with other family-related leave entitlements. The Bill as drafted makes clear which contractual elements are applicable to parental bereavement leave or pay.

Let me now turn to amendment 8. I will begin with words that you have heard already, Madam Deputy Speaker: I agree with the comments made by many Members. It has been made clear that there is no desire to deviate from frameworks supporting existing measures in the landscape of family-related leave and pay, but that must not be at the expense of fairness and proportionality. Someone may be on family-related leave for many different reasons, and the forms of leave involved are a variety of lengths. They can be taken back to back. Sometimes it is natural for that to be the case, but sometimes it is not.

If the amendment were accepted, it might be possible for a bereaved parent who had been on leave for an extended period—perhaps consisting partly of maternity leave and partly of parental bereavement leave—to be entitled to return to the job that they had before going on leave, whereas a colleague who had been on other forms of family-related leave for the same period of time would not have quite the same right to return. We would not want a fixed “right to return” that was out of kilter with the other, existing “rights to return”.

The Government need the flexibility to set all this out through regulation after they have had time to consider all the various forms of leave and how they could interact with each other. I know that that soundspedantic. Earlier this week, the hon. Member for Barrow and Furness (John Woodcock) accused me of being a nit-picker—there should probably be a Royal Society of Nit-pickers—but in this instance we have to nit-pick, because the detail is critically important. We should set out the rules only after we have considered the issue. That is, after all, the approach taken in the existing legislation on family-related leave and pay rights.

My hon. Friend the Member for Croydon South (Chris Philp) suggested the extension of leave to parents of premature babies. As I have said, all family leave provisions represent a floor. Employers are encouraged to go beyond the minimum when they can. Last year the Government worked with ACAS to produce new guidance on support for staff who have premature babies. The UK offers generous maternity-leave entitlements—some of the best in the world—and I think that they provide for a variety of circumstances. Parents also have access to other types of leave, such as shared parental and annual leave.

Chris Philp: I appreciate the Minister’s response to my earlier comments. I would point out, however, that the parents of very premature babies have additional caring responsibilities—particularly when the babies are in a neonatal intensive care unit—over and above the ordinary parental requirements involving a normal newborn baby. I therefore ask the Government to consider, at some future time, an additional leave right, over and above the normal one, for parents in those circumstances, when it is necessary for them to be present with the baby as much as possible.

Richard Harrington: I know that my hon. Friend has personal experience in that regard, as his twins were born prematurely. I was born quite prematurely myself. Some of us look as though we were not born prematurely. My hon. Friend has made a serious point, however, and I will definitely consider it.

Amendments 9 to 11 and 15 to 17 deal with notice requirements. In this context, we have to stop and think about what the word “reasonable” means. It looks sensible in drafting and in amendments, because people think, “Well, what’s reasonable is reasonable”, but it is very subjective. It is a word that remains open to interpretation and genuinely means different things to different people. If I was challenged on the grounds of reasonableness—for example, on the length of this speech—what would the outcome be? It is a serious point with a number of scenarios and thought processes, with the usual outcome that something can be considered reasonable or unreasonable for any number of reasons when viewed from multiple perspectives.

The amendment might inadvertently make it difficult for those who seek to rely on the provision to know exactly what it means for them. We cannot create a situation in which the issue of reasonableness ends up being a sticking point between employer and employee. Then we would have questions of whether it should go to an employment tribunal or how would it be arbitrated, when that would be the last thing that anyone wanted on top of dealing with the terrible tragedy of a child’s death. It would be the worst of all outcomes and I am sure that no Member would want to see it.

I understand the aim of the amendment, however, and I sympathise with its spirit. But given that we are dealing with such a delicate issue, in which clarity is key, we should keep the text of the schedule as it is.

Kevin Foster: I take on board some of the points that the Minister is making, but does he accept that “reasonable” is a word that has been in the law for a long time in various circumstances? For example, Lord Denning famously talked, in the language of his time, of the man
on the top of the Clapham omnibus. One of the reasons we picked the word is because it has been decided on in the courts many times.

Richard Harrington: I thank my hon. Friend for that point and in my brief time not as a lawyer but doing a law degree I remember the Lord Denning case, which was about being subjective about reasonableness. It was fine for Lord Denning, as the Master of the Rolls, to opine on the issue, but we have to consider a system that will not, we hope, go to an employment tribunal or a court—that is the last thing that anybody would want. Although “reasonableness” seems a fine test on the surface, this is such a delicate issue that we need to keep the text of the schedule as it is, with due respect to Lord Denning and my hon. Friend, although I agree with him about the “reasonable” test generally in English law and other systems.

As for the eligibility for pay, I look at this from my business background. Keeping the qualifying period for the pay element aligned with family leave provisions avoids questions arising at this sensitive time about who is entitled to take both parental bereavement leave and pay, because employers are already familiar with how it works. If employers are able to follow the legislation easily it will, in turn, enable them to act in a way that reduces the stress and uncertainty of the bereaved employee. ACAS has opined a lot on this subject and my officials have worked with it to establish how the Government can best support employers when an employee suffers child bereavement. Much of it will have to do with guidance and support to reflect the new provisions after Royal Assent and once the regulations have been made.

In supporting the Bill, the Government want to ensure that employees and employers are both involved in managing child bereavement, in the context of existing family leave and pay legislation. So I think it better that we leave the Bill as it stands in this respect—consistent with existing family-related pay entitlements when it comes to eligibility for statutory pay.

On amendment 18 and the liability of HMRC, the point has been covered a lot in the proceedings on the Bill, and I believe we need to ensure that protections are in place in the event an employer does not fulfil his legal obligation.

To allow time for Third Reading, I would just say that this is as good a time as any to reiterate the Government’s full support for the Bill, and my appearance as the third Minister to represent the Government is not a signal of wavering commitment. It is a signal that we are trying to get it right and treating the subject with the importance it deserves. I hope that after today’s important stages the Bill will make a swift transition for consideration in the other place, so it can proceed and receive Royal Assent at the earliest convenience.

1 pm

Kevin Hollinrake: I thank the Minister for his very clear representation of the Bill and his responses to the amendments, which I will not cover in great detail because he did an excellent job of that. I also thank the small business Minister, my hon. Friend the Member for Burton (Andrew Griffiths), for all his work in taking this Bill forward. He cannot be here today, but I know he very much wanted to be present to see the Bill, hopefully, through its final stages.

I also thank all Members who have contributed today and throughout the passage of the Bill. We have heard excellent speeches that have helped to shape the Bill. I thank in particular those Members who have been willing to share their personal experiences; there is nothing better to make sure that the Bill is fit for purpose as it goes through this House and the other place than hearing from Members from both sides of the House who have suffered such experiences. I have been lucky in my life, as I have four very healthy children. We have had a few mishaps along the way, but nothing along the lines of a stillbirth or the loss of a child. It amazes me—I find it inspirational—that Members are able to talk about their experiences in this Chamber.

I have had experiences from another relevant perspective—as an employer. Prior to entering this House I was an employer for 25 years, and I am still associated with the business. A number of people who worked for us have suffered these terrible tragedies, and I cannot think it ever entered our minds that we would not give people the leave that they needed for as long as they needed it, and to pay them without any deduction from their normal pay. That is the approach we have always taken, and I absolutely believe that it is the approach that the vast majority of employers in this country take, too. It is important to recognise that all the proposals and amendments are, understandably, trying to deal with the minority—the one in 10 who do not do the right thing—but those contributions are nevertheless incredibly important.

I want to thank a number of people individually. The first of them must be my hon. Friend the Member for Colchester (Will Quince). I am definitely the baton-carrier—if that is the right expression—for this Bill, as he brought forward a very similar Bill in the last Parliament but could not get it through in time. We absolutely would not have this Bill without him. Thousands of parents every year suffer these tragedies, so this is a hugely important proposal.

I also thank my hon. Friend the Member for Eddisbury (Antoinette Sandbach) for all her contributions, and my hon. Friend the Member for Banbury (Victoria Prentis), who cannot be here today but I know would have wanted to be.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I hesitate to interrupt the hon. Gentleman, but I am listening carefully to what he is saying, and while of course he can thank his colleagues and other hon. Members as often as he wishes—I have no objection; that is perfectly in order—I gently remind him that at the moment he should be addressing the amendments that we have been dealing with since 9.35 this morning. Once he has done that and we come to the end of this process, we will go on to Third Reading, when it is customary for the thanks to come, but of course the hon. Gentleman may wish to make his thanks more than once, and there is nothing wrong with that. If he does so more than twice or three times, I will have to say he is being repetitive, but I never discourage courtesy in this place—I am merely pointing him in this direction.

Kevin Hollinrake: I am very grateful for that informative interruption to my remarks. I was going to move on to the amendments, but the contributions of my colleagues and Opposition Members have helped to inform the
discussion around them. However, of course I will respect your views, Madam Deputy Speaker, and move on now to the amendments themselves.

The principal amendments on which most of the debate has been focused are those dealing with the definition of a bereaved parent: amendments 1, 2, 12 and 14. My hon. Friends the Members for Torbay (Kevin Foster) and for Mid Dorset and North Poole (Michael Tomlinson) talked about primary care givers and grandparents. We have had a number of contributions on this matter, not only from hon. Members but from charities and individuals who have contacted me on Facebook. We had a Facebook debate on the issue, in which Nicky Clifford said that she wanted the measure to extend to grandparents when they were the child’s primary carer. Mrs Clifford felt that the grandparents had suffered a double loss when her son died. The charity Together for Short Lives said that the right to leave should be extended to legal guardians, as did the Rainbow Trust, which also mentioned foster carers. There is certainly a wide breadth of opinion on how the regulations should be set, hence the need for a consultation. The Government are consulting on these issues now, and the consultation should come to an end at 11.45 pm on 8 June. I urge all Members to make submissions to the consultation on the definition of a parent before that is set in regulations.

The other key amendments were amendments 3, 5, 20 and 23, which relate to the window during which leave can be taken. The hon. Member for North Ayrshire and Arran (Patricia Gibson) talked about the shock and disbelief that is felt when these things happen. Of course every case is entirely different, so it is absolutely right that we should be flexible. The same point was made by my hon. Friend, the Members for Torbay and for Mid Dorset and North Poole. This was the principal area into which charities had an input. Faye Williams said on Facebook that her partner had been allowed two weeks leave, but that the funeral was not arranged in time within that window. Louise Wright said that her son’s inquest was in October, five months after he had passed away. Cruse Bereavement Care said that the leave entitlement should be spread over a longer period of 52 weeks. Interestingly, one of the bereaved mothers who made a submission to the consultation through Cruse stated:

“When my child was born, I was entitled to a year off, but when he died I wasn’t entitled to a day off.”

That is an excellent reason for bringing forward this Bill.

We need to take all these things into account. It is right that there should be a baseline minimum—amendment 5 would take out that minimum—but it is also right that we should look to increase it. I am certainly sympathetic to increasing it from eight weeks to a two-week block. This is really about HMRC’s systems, but we would expect employers to be more flexible. On the point about extending the period of pay from two weeks to four weeks, we would need to look at the costs involved. The Bill has been carefully costed, and the cost to the Treasury will be £3.2 million per annum. The taxpayer will pay for the statutory pay, but employers will pay as well. The annual cost to businesses will be around £2.6 million, and we need to take that into account.

Amendments 6, 24, 21 and 25 focus on the age limit, and we had some good contributions on this point. From a parent’s perspective, there is no difference between the grief for someone who was 18 and that for someone who was 19. I quite understand that, and we had a number of similar submissions from the charities on this point.

My hon. Friend the Member for Croydon South (Chris Philp) mentioned this, but we need more discussion about the 24-week cut-off point between miscarriage and stillbirth, and the private Member’s Bill of my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) seeks to consider that issue. There must be a cut-off somewhere, and our friends at the Treasury certainly want to know exactly what the proposals will cost. We have already passed the money resolution, so I suggest to hon. Members that now is not the right time to try to amend the Bill in that way.

I thank hon. Members on both sides of the House for their constructive, informed and human contributions. I politely suggest that Members do not press their amendments to a Division so that we ensure that the Bill can proceed.

Michael Tomlinson: My hon. Friend mentioned the consultation and invited us to withdraw our amendments. Does he agree that it would be otiose—unnecessary—for us to repeat the suggestions that we have already made? This debate should be formally submitted to the consultation so that Members of Parliament do not need to write further submissions. Those involved in the consultation could simply read the Hansard reports of Second Reading, our Committee proceedings, Report and, hopefully, Third Reading.

Kevin Hollinrake: I was pleased that my hon. Friend explained what otiose means. He is absolutely right that the Bill has been shaped as it has passed through the House. The consultation is a key part of that, and it is fair to expect that some of the Bill’s provisions will be different from those that we see today. Finally, I politely ask Members not to press their amendments to a Division and to allow the Bill to pass through the House and on to the statute book as quickly as possible so that we help more parents who suffer these terrible tragedies in their hour of greatest need.

Kevin Foster: It has been fascinating to listen to the past few hours of debate, and I am pleased by the discussion of the amendments tabled by my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) and I. I was reassured to hear the Minister’s comments about the consultation, particularly that this is about setting a minimum, not a ceiling, and about practice in the civil service. I hope that the matters we have discussed today will be automatically included in the consultation, as my hon. Friend just said, without us having to write another letter stating, “As I said in the House of Commons on Friday 11 May, these are...
my views.” I look forward to the matter coming back for debate after the consultation has concluded, when I am sure there will be opportunities for discussion on the Floor of the House. Having listened to the Bill’s sponsor and the Minister, I beg to ask to leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Third Reading

Queen’s consent signified.

1.13 pm

Kevin Hollinrake: I beg to move, That the Bill be now read the Third time.

With your leave, Madam Deputy Speaker, I want to thank hon. Members from both sides of the House. I thank the hon. Member for Glasgow East (David Linden) for his contributions in Committee and his forbearance in the process, because I know that there are things that he would have liked to have taken forward. I thank the hon. Member for North Ayrshire and Arran (Patricia Gibson)—a constituency almost as beautiful as Thirsk and Malton. I also thank the shadow Minister, the hon. Member for Sefton Central (Bill Esterson), and those who played their part in Committee, particularly the hon. Member for Swansea East (Carolyn Harris), who spoke so powerfully.

It is remarkable what we can achieve when we work across parties, so it has been a fantastic experience for me, and I am sure for other colleagues, to be associated with this Bill, which is about not just a new automatic entitlement to two weeks’ leave but, as we have discussed many times, a cultural change among some employers in this country to make sure everybody steps up to the mark when people suffer these tragedies.

From our research and from third-party contributions, we know that nine out of 10 employers do the right thing, but we must make sure that all employers do. We must continue to raise the bar to ensure that our employers do more and more to respect people when they have significant difficulties and are in their hour of greatest need.

This kind of debate and this kind of legislation brings out the best in this House. The debate on 10 October 2017 on Baby Loss Awareness Week was attended by Members on both sides of the House, and my hon. Friend the Member for Ludlow (Mr Dunne), who was the Minister on duty that day, described it as the most moving experience he had ever had in this Chamber. It was incredible to be here to listen to those speeches from Members on both sides of the House.

Again, Members spoke movingly on Second Reading of this Bill on 20 October 2017, including my hon. Friends the Member for Eddisbury (Antoinette Sandbach) and for Banbury (Victoria Prentis) and the hon. Members for Swansea East and for North Ayrshire and Arran. My hon. Friend the Member for Mid Dorset and North Poole (Mr Tomlinson) told the touching story of his own experiences and how well such experiences can inform debate in this House. At times this needs to be a more human Chamber, and today the Chamber has been more human.

Principally, of course, I thank my hon. Friend the Member for Colchester (Will Quince) for his inspirational leadership and steadfast commitment. As he knows, I think this Bill should be called Will’s Bill as a result.

I also thank the individuals and charities that have informed this debate, and certainly my constituents Annika and James Dowson, whose stillborn baby Gypsy was my first experience, as a Member of Parliament, of some of the difficulties that people experience. I am delighted to be able to stand here to represent the Dowsons today.

Members on both sides of the House have improved the Bill. We made some important amendments in Committee to include stillbirths, and those amendments were a result of the contributions from the hon. Member for North Ayrshire and Arran and my hon. Friend the Member for Colchester.

I thank the Government and Ministers for their support, and I thank the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Watford (Richard Harrington) for his excellent words. I also thank his officials for their tremendous service—they have made all this possible.

I very much hope this Bill will proceed from this House and swiftly pass through the other place. I am delighted to help move this issue forward, and I am keen to see Will’s Bill become Will’s Act.

1.18 pm

Bill Esterson: I congratulate the hon. Member for Thirsk and Malton (Kevin Hollinrake) on the fine way in which he has piloted the Bill to its Third Reading. I endorse everything he says about the contribution of hon. Members on both sides of the Chamber to the Bill.

This is a subject that unites Members on both sides of the House, and this Bill is an opportunity for the House to demonstrate what we can do when we recognise that we have more in common than that which divides us. We have seen that displayed extremely well today. I thank those who have, no doubt with some difficulty at times, explained their own personal experiences of the tragic situations they have faced, and I commend them for their inspiring contributions to this debate on Second Reading, in Committee and today.

It has been said many times, but it is worth repeating that parental bereavement leave and pay provision did not exist and had not been considered until this Bill was introduced. Astonishingly, ours is the first country to have got this far in the provision of this correct support for those suffering bereavement. At one of the worst periods of someone’s life, it is only right that employers and the state do all they can to make that time a little easier to bear.

Many employers are extremely compassionate, and go above and beyond what is expected of them. This Bill does not seek in any way to undermine employers who do the right thing; it seeks to ensure that those who do not do the right thing have to catch up with everybody else. The Bill helps to reinforce the employers who are doing the right thing and to make sure that those who do not are not in a position to gain an advantage by undercutting, whether deliberately or otherwise. It is right that we rectify that position on something so important, and that there is no prospect of employers, deliberately or otherwise, being obstructive or unhelpful during the grieving process.

This legislation provides for the bare minimum; it is not perfect, but it is welcome and necessary, and it moves matters forward. It is right that bereavement
leave for the loss of a child is the first way in which bereavement pay and leave is addressed. We heard discussion about the fact that bereavement affects us when we lose a partner, a family member or a close friend, but it is right that we put the loss of a child first, because the special connection between a parent and a child is different from other relationships and so this is different from bereavement on the whole.

This Bill has the support of the CBI, the Chartered Institute of Personnel and Development, the TUC and many other major organisations. We heard about the challenges for those with poor employment rights—those on zero-hours contracts or minimum-hours contracts, and those who are self-employed. These are all challenges to come, and I hope that when the Government respond to the consultation we will start to address some of these areas, along with some of the challenges faced by businesses when a key worker is absent.

Fundamentally, the Bill is the right thing to do. It makes a great start in providing support for those who have suffered the loss of a child, and it addresses the problem where the minority of employers—and it is just that—are not doing what they definitely should be doing. So I look forward, as a matter of some urgency, to seeing the Government’s response to the consultation. I very much welcome the fact that we have reached this point and we will be passing this Bill on Third Reading in a few minutes’ time. I hope that as this Bill is passed, with all of our support, it gives all those people who are experiencing the traumatic and devastating loss of a child one less thing to have to worry about.

1.23 pm

Scott Mann (North Cornwall) (Con): It is not often that we get to our feet in this place to ask the question: why was this not done before? It is abundantly clear to me that we are doing the right thing today. It is a pleasure to follow the shadow Minister, and I congratulate my hon. Friend the Member for Colchester and for Eddisbury (Antoinette Sandbach), who originally introduced this Bill in the last Parliament. He has been a big voice in this place for bereaved parents.

Losing a child is the most traumatic thing that can happen to a parent, and it is right that we introduce safeguards for bereaved parents going through such a painful and unimaginable experience. Parental bereavement has been brought into sharp focus since the start of the 2015 Parliament, notably by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on introducing this important Bill and getting it to this stage. I also congratulate my hon. Friend the Member for Colchester (Will Quince), who was the shadow Minister. I welcome the amendment that was made in Committee that the campaigning on the issue by Members from all parties—including, notably, my hon. Friend the Member for Thirsk and Malton—has led to the introduction of this Bill.

Currently, if someone loses a child, they have to rely on holiday leave, or compassionate leave, at their employer’s discretion. Alternatively, they could take unpaid leave for a reasonable amount of time, as permitted under the Employment Rights Act 1996. This situation is clearly inappropriate. A bereaved parent should not have to use holiday pay or take unpaid leave at such a traumatic time in their life.

Bob Stewart (Beckenham) (Con): It strikes me that we should also pay great tribute to the employers who give people as much time as they possibly can, fully paid. That happens so often these days, so only a small percentage of people will require the statutory two weeks’ leave.

Scott Mann: My hon. Friend is exactly right: we are dealing with only a small proportion of employers. Many great employers throughout the country would make such provision for their staff.

ACAS has advised that employers should have a duty of care, taking account of instances of bereavement, and it is right that we back that up with statute and give everyone a legal right to bereavement leave. That is why I wholeheartedly support the Bill. I am very pleased that the Government have introduced it and that it has cross-party support. It is a pleasure to be here to see the Bill make progress.

Statutory bereavement leave is a reasonably common right throughout Europe and among many other countries. I welcome the fact that the Bill goes significantly further than the rights that other countries provide for employees. It is right that the UK leads the way on this matter. I particularly welcome the provision of two weeks’ minimum bereavement leave, which will give parents sufficient time away from work to grieve with their family. It will also make easier the unenviable task of planning a funeral. It is a minimum period, and it is hoped that many employers throughout this great country will be able to afford to give people more than two weeks to get their affairs in order.

I welcome the fact that an employee who has been employed for 26 weeks will have a statutory right to bereavement pay, as well as bereavement leave. I also welcome the fact that employees who take parental bereavement leave will have the same employment protections that apply for other types of family-related leave, such as maternity and paternity leave. They will be protected from dismissal and detriment as a result of taking bereavement leave, which would be wrong.

One question before us today has been about the definition of a parent, which my hon. Friend the Member for Torbay (Kevin Foster) talked about, and how it should be covered by the legislation. It is right that the Government will take some time to consider that question and consult on it.

I welcome the amendment that was made in Committee to ensure that the definition of a child includes stillborn babies after 24 weeks’ pregnancy. Stillborn births are extremely traumatic for an expectant couple, and it is right that they should be afforded the same bereavement leave as those who lose a child in other circumstances.
It is important that parental bereavement leave works for employers as well as for employees. I am glad that the Government are currently consulting on the definition of a bereaved parent, on how long they can take the leave and on notice and evidence requirements. I hope that some of my constituents who have either experienced the loss of a child or who own a business take part in this consultation to shape the bereavement leave policy.

I welcome and support this Bill today. I once again congratulate both my hon. Friend the Member for Thirsk and Malton on getting the Bill to this stage and other Members who have campaigned on this issue. Bereavement leave should be in place for all families who lose a child, and I will support the Bill on Third Reading today.

1.30 pm

Patricia Gibson: I will test your patience for a moment. Madam Deputy Speaker, by repeating some of the earlier remarks that I made in thanking the hon. Members for Thirsk and Malton (Kevin Hollinrake), for Eddisbury (Antoinette Sandbach) and for Colchester (Will Quince).

We have seen, over a number of months, real examples of constructive cross-party working. When that happens in this House—it does not happen very often—it can be quite a beautiful thing, so we should treasure it when it does happen.

The Bill is not perfect, but its passing today is hugely welcome and enormously significant. In passing this Bill, Parliament will do something good, which will help parents in their darkest hours. Today, Parliament has recognised that a parent burying their child is such a life-changing and such a traumatic event that it should be recognised in law. How it is dealt with in the workplace can no longer be left entirely at the discretion of employers—however well-meaning many, many employers may be. As the Minister said, if something is important and it matters, it is right that the law should recognise that fact.

The consensus across this House today is a testament to how important this Bill’s provisions are. We can easily imagine that they command the same consensus right across the United Kingdom. It is no secret that I would have liked more flexibility on when leave can be taken, and I would have liked the age restriction removed, but we have made a start. As the Minister said, it is hoped that the consultation will bring in many of the improvements that Members across the Chamber have talked about today. There is more to do, but this Bill sets a tone and a cultural shift.

I wish to extend my thanks to the hon. Member for Mid Dorset and North Poole (Michael Tomlinson) for sharing his own very personal story with us. I was particularly impressed by his eminently sensible suggestion that the comments, speeches and remarks that have been made today should definitely form part of the consultation, which we all hope will allow further improvements to be made to the Bill.

The Bill, as we have heard, sets out only minimum provisions, and we know that there is more work to do. Again, I pay tribute to the work that has been done so far, which will make such a difference to the lives of parents who find themselves bereaved. We have made a start, and I believe that we can and that we will go further in the future. I very much support the Bill.

Will Quince: This is indeed a great day. I did not come into politics with the thoughts of being a baby loss campaigner, or a campaigner for bereaved parents. It is tragic circumstances that has brought me, and so many others who work so passionately in this field, to this position. I remember the first journalist whom I spoke to on entering Parliament in 2015—she will know this when I reference the story. It was Isabel Hardman of The Spectator. She said, “If you could achieve one thing in Parliament, what would it be?” I said that it would be paid bereavement leave for parents who sadly lose a child. We are getting very close to that point. It has been an enormous team effort. I repeat the comments made by my friend, the hon. Member for North Ayrshire and Arran (Patricia Gibson), when I say how brilliant the cross-party working on this Bar has been.

It has shown Parliament at its best. More than that, what we have seen over the course of the past two or three years is a seismic shift in the way that we approach bereavement, particularly bereavement for parents. We now have the national bereavement care pathway, which is launching nationwide at the end of this year. That is largely owing to the work of the all-party group on bereavement support. Again, we saw some brilliant cross-party working. We have seen the fantastic work of the hon. Member for Swansea East (Carolyn Harris), who I also call my friend, with her child funeral campaign. Now we have this Bill, which will give us one of the best workers’ rights in this area in the world.

I should like to say some thank-yous. The first goes to all the charities that have played such an important role through all the work that they have done in feeding into this process. This is not a new campaign—it is about something they have been calling for some time.

I pay tribute to all the bereaved parents who have contributed to all the consultations and thought processes that led to the Bill. It is really hard for bereaved parents to share their stories and talk about their own tragic loss, but they are willing to do it if they know it is going to make a difference to people who sadly find themselves in similar circumstances. I encourage the Minister, as this process continues, to continue to engage with bereaved parents. I encourage all bereaved parents who might be listening please to get involved in the consultation.

I thank the all-party parliamentary group on baby loss for all the work that has been done, again cross-party, to feed into this process. Lucy Herd, a bereaved mother who set up Jack’s Rainbow, has campaigned tirelessly on this subject. Someone who has not yet been mentioned, but who absolutely deserves it, is Tom Harris, the former Member for Glasgow South. He is another person who has passionately campaigned on this subject, first as an MP back in 2013, and since then as a journalist. I worked with him very closely behind the scenes on my incarnation of the Bill, and I know that he has continued to follow the path of this Bill very closely.

I thank parliamentary colleagues for all the work that they have done across this House to help to publicise the Bill and to get the word out there in supporting it. I also thank all the parties. After my Bill failed at the end of the last Parliament, I think the parties put this into their manifestos as a policy. That was a huge achievement. At the start of this Parliament, regardless of who ended up forming the Government, this was a
manifesto commitment—a pledge—by all three major parties, and it was supported by all the smaller parties too.

I thank the Government and the Minister, because this has been, from the very beginning, like pushing against an open door. These things are never easy. We always look at it and think, “Well, of course it will be an easy thing to do”, but it never is—there are always complications and added consequences for any piece of legislation or change that we make, particularly on something as complex as employment law. But from the very beginning, the Secretary of State for the Department for Business, Energy and Industrial Strategy, the then Minister of State, and Ministers subsequently have all been so supportive of pushing this agenda forward. I thank all the civil servants who supported it too.

There is one person who I have to single out for the biggest thanks, and that is my hon. Friend—my very good friend—the Member for Thirsk and Malton (Kevin Hollinrake). When the ten-minute rule Bill failed at the end of the last Parliament, my hon. Friend, who has twice been lucky in the private Member’s Bill ballot, took it up. It is easy to underestimate the number of people, charities, organisations and colleagues who would have been lobbying him to put their Bill forward—hundreds and hundreds. Yet it only took one call to him. He did not even say, “I’ll think about it and call you back”—he immediately said, “Yes, of course I’ll do it.” That is to the credit of the man. He has passionately, committedly and determinedly put forward this Bill with great steadfastness and commitment. It is a huge credit to him that we have got as far as we have, and I hope that today we will be sending the Bill up to the House of Lords.

It is important when we consider a Bill of this nature to look at where we are now. Numerous Members have said that the vast majority of employers already do the right thing, and yes, they do. The vast majority act with compassion, kindness and sensitivity, and recognise that this is the most emotionally difficult period that their member of staff has had to, and probably ever will have to, come to terms with. But we are not legislating for them. We are legislating for the tiny minority of employers that do not do the right thing—the ones that act without compassion and with complete insensitivity and carelessness.

I had lots of anecdotal evidence before, but ever since the Bill was presented, a number of people have been in touch to say how disgracefully their employers have acted—and we are not just talking about small employers; we are talking about big ones too. I even heard from one individual who was working in our NHS. That should not be happening. People are being told that they have to come back to work or take it as holiday or unpaid leave, and some are not even given time off to go to their child’s funeral. It is an absolute disgrace. If it is just one person who is affected—if just one person has to go through the huge ordeal of questioning, “Do I go back to work even though I’m not ready and my family need me and I’m going through this horrendous ordeal, or do I lose my job and get sacked and therefore not be able to provide for my family?”—this legislation is worthy and right. That is why I wholeheartedly support the Bill and we have to act.

We have discussed grief a lot today. I have had an experience of grief, and I know what my grief was like. I have a small understanding of what my wife’s grief was like, but we all grieve differently. That is why it is so important that we ensure there is flexibility in the Bill and its future incarnations, as we potentially tweak it. We have put two weeks’ leave in the Bill, but we want there to be flexibility in when that can be taken, because not everyone grieves in the same way. One person’s grief will not be the same as someone else’s. I know mine was different from my wife’s. I wanted to get back to work a lot quicker, as a coping mechanism.

It is not just about grief. It is also about the huge amount of administration and processes that you have to go through, whether it is simply going to register the death or dealing with the hospital and, in some cases, coroners and inquiries. There are other things people do not think about, like going home and having to think about the bedroom upstairs that your child used to sleep in. Who is going to do that? Who is going to go through their wardrobe? We do not necessarily think about those things when we have not gone through that tragic experience. It is important that we give parents who go through this emotional tragedy the time to grieve in peace but also to make those all-important arrangements that only they, as parents, can do. That is why the Bill is so important.

We have talked about some of the issues with the Bill. We would like it to be more than two weeks’ leave, but that is very much a floor, not a ceiling. I would like all employers to say to their staff, “You take what time you need.” I was really reassured by what the Minister said he did when he was an employer, and I hope all employers would take that approach. As other Members have rightly said, it not only builds loyalty, but we know the social and economic cost of the mental health issues and family and marital breakdown that happen when parents lose a child and are not properly supported. It is in the employer’s interest to do the right thing. Through the Bill, we will ensure that all employers that are already doing the right thing are supported and recompensed via the statutory paternity or maternity leave process. We are not rewarding employers that are already doing the right thing, but ensuring that they see a benefit from it. This is more about employers that are not doing the right thing.

This is very much meaningful change. A number of Members have talked about the fragility of private Members’ Bills; I remember mentioning it in Committee a lot. At one point, I was not sure we would get to this point, because of the number of amendments, which are all worthy in their own right. I would like to see many of them included in future incarnations of the Bill, but we have to ensure we do not make the perfect the enemy of the good—and this Bill is fundamentally good. It will do good. As I said, we are introducing one of the most advanced workers’ rights in this area in the world. This is world-leading stuff, and we should all be very proud of it. Some members of the public who have a bit of disdain for politicians say, “You MPs do nothing. What do you do for us?” Today, we are doing something for tens of thousands of bereaved parents up and down the country. We know the good that this Bill will do.

My hon. Friend the Member for Thirsk and Malton kindly and generously referred to this as Will’s Bill. It is not. All my work in this area is only as a result of my
late son Robert, so if anything, it is Robert’s Bill. I cannot thank my hon. Friend enough, and I am hugely indebted to him.

1.44 pm

David Linden: What a pleasure it is to follow the hon. Member for Colchester (Will Quince), who made such a moving speech.

I will keep my remarks brief, because I want to ensure that the hon. Member for Hove (Peter Kyle) gets his important debate on votes for 16-year-olds. I pay tribute to the hon. Member for Thirsk and Malton (Kevin Hollinrake) and all members of the Bill Committee. I was conscious that the hon. Gentleman had a difficult task—indeed, he would meet me on a regular basis and try to temper me, as a new, naive young MP tabling all those amendments.

This is a good Bill, but it could have been even better. I understand the fragility of the private Member’s Bill process, and I continue to be frustrated about the way such Bills are dealt with—I think we will find that when we debate the subsequent Bill. While I understand that the process is fragile, I regret that we have still not done anything for employees who have been with a company or employer for fewer than 26 weeks, and that the Bill does not cover those who are self-employed or on zero-hours contracts.

I welcome the consultation that the Government are taking forward, but it is vital that we get clarity on when that will report back and how we will move forward. I spoke in Committee about my own circumstances, which were nowhere near as grave as those outlined by other Members, including my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson), who has done a power of work on the Bill. I hope that the Bill’s Third Reading indicates the beginning and not the end of a process that will give enhanced employment rights to people who have been through one of the worst things that anybody can imagine, and that the Bill will receive Royal Assent.

1.46 pm

Antoinette Sandbach: It is a huge pleasure to follow the hon. Member for Glasgow East (David Linden) and hear his support for the Bill, together with that of so many others. My hon. Friend the Member for Colchester (Will Quince) said that he spoke to Isabel Hardman of The Spectator about his aim to introduce parental bereavement pay. My aim when I spoke to Judith Woods of The Telegraph—probably in the same week—was to speak out so that we could have the best possible practice, support and information for bereaved parents.

I pay tribute to my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake). I had the honour of appearing—on the “Victoria Derbyshire” show, I believe—with his constituent, Annika Dowson, to discuss some of the issues of grief and bereavement facing parents. We have kept in touch ever since and, like so many parents who have been in our position, she has been stalwart in this area, raising huge amounts of money for her local hospital and its bereavement suite.

I pay tribute to other hon. Members who have supported the Bill but cannot be here today, including my hon. Friend the Member for Banbury (Victoria Prentis) and the hon. Member for Lewisham, Deptford (Vicky Foxcroft), who spoke incredibly powerfully in Baby Loss Awareness Week about her experience. The hon. Member for Washington and Sunderland West (Mrs Hodgson) has also been really helpful; again, she has spoken movingly about her experience of stillbirth. I had the pleasure of sitting on the Bill Committee with the hon. Member for North Ayrshire and Arran (Patricia Gibson). I had a friend who went through an experience similar to hers, and it was simply devastating to see.

The fact that all of us have spoken out and shared our experiences has meant that the issue has been looked at in a completely different way. As the hon. Member for North Ayrshire and Arran said, it has led to a real, cross-party political will to ensure that parents who go through this utterly devastating and tragic event get an entitlement to some form of support. It is historically significant that we are extending the benefit system in this way to give support to bereaved parents. It is also historic, as benefit extensions do not happen very often. I pay tribute to my hon. Friend the Member for Thirsk and Malton, who has acted throughout with honour and decency. He has worked assiduously across the parties to ensure that the Bill is in the best possible shape and, as the hon. Member for North Ayrshire and Arran put it, to carry the valuable and delicate china of a private Member’s Bill to this point.

About 8,000 parents suffer the loss of a child each year. As we have heard, most employers understand how utterly devastating that is for the family involved, but not all of them appreciate that or have been willing to give their employees leave. Frankly, that is shocking in this day and age. We are making a real advance in the protection we give to employees. Hopefully, that will have an effect on the general approach to bereavement. The sandwich generation are looking after not only their children, but parents with very complex needs. I hope that the Bill sends a signal to employers to be compassionate, and to treat their employees with decency and understanding. That will be repaid in spades when they return to work.

I thank the Minister and the Government for the support they are putting in place for bereaved parents who have lost a child. Such time off is incredibly important, particularly as other children in the family will be affected, and will need their parents to support them and explain what is going on. They need to get through the fog of devastation and loss to try to find the parameters of where normality—[Interruption.]

Michael Tomlinson: I am very grateful to my hon. Friend for giving way. She is making such a powerful speech. I well remember the very first time I heard her speak so powerfully—during the Adjournment debate to which I referred a few moments ago. I have perhaps allowed her 30 seconds to compose herself before she concludes her remarks.

Antoinette Sandbach: I am very grateful for my hon. Friend’s intervention. We are making history today. I hope that parents who face child bereavement in the future will feel there is a little bit of grace and a little bit of space for them to be able to deal with what is an utter tragedy.

1.53 pm

Mike Wood (Dudley South) (Con): It is a real pleasure to be able to speak in this debate and to follow the moving contributions of my hon. Friend the Member for Eddisbury (Antoinette Sandbach) and many other Members.
I thank the many Members on both sides of the House who have supported the Bill and worked so hard to bring it to where it is today. I thank my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) for driving the Bill this far and my hon. Friend the Member for Colchester (Will Quince) for his work on his ten-minute rule Bill in the previous Parliament, which I was very proud to co-sponsor. I am delighted to see that Bill’s important measures included in this Bill, which I hope the House will endorse this afternoon.

Before I was elected to Parliament, I was a trustee and treasurer of a small bereavement counselling charity in the midlands. Our counsellors worked very closely with people from all backgrounds who had lost loved ones, including a large number of bereaved parents. They had lost children to illness, to accident and, in one case, to the Lockerbie bombing. The emotions and experiences of parents in such circumstances are wide-ranging and completely individual to each specific parent, regardless of what happened. For some, the early emotions were anger. There was despair and, in some cases even a sense of guilt about what could and could not have been done differently, even when it was clear that nothing that they could have done would possibly have made any difference.

All bereavements cause grief. The loss of a loved one leaves a sense of emptiness and places strains on mental health. However, when someone loses their own child, it is particularly devastating, as a number of hon. Members have said, including my hon. Friend the Member for Chippenham (Michelle Donelan) in particular. It is completely the wrong order—it is not the natural way things should be. That does make such losses particularly damaging and painful. Children should not die before their family.

From the moment when a person learns that they are going to be a parent, their life and the way in which they see the world changes. They start to plan for what the future will bring for their children, and when those children’s lives are taken away, of course it has a huge impact on them. The whole world as they know it can be changed in quite literally a heartbeat. While all these losses are hugely and unimaginably painful, sometimes it can almost be even worse for the parents who lose a sick or disabled child. They may feel that they somehow get less support and sympathy from the community. They may almost feel as though people are suggesting that it is somehow for the best whereas, of course, this is their son or daughter who they will never see again.

It is absolutely vital that we do anything we can as a Parliament—as lawmakers—to make the process even the slightest bit easier at a time when people are experiencing particularly horrendous and acute pain. The pain does not go away, but of course there are times when it is particularly sharp. It is then that people should be allowed the time and space that they need to grieve in their own way and in their own time, because the impact on families can be terrible. There is often a very deep marital strain. The tragedy of losing a child can be compounded by the further tragedy of family break-up, so we need to allow parents the time to grieve together.

If the Bill allows that, at a time when people are ready to grieve—it may not be in the week or two immediately after a child’s death—it will achieve a great thing.

A number of the details will be dealt with in the regulations on which the Government are consulting. I hope that all those with views on the how, what, when and who will submit their views to the Government’s consultation, and I also hope that the Government will interpret the definition of a parent broadly. The Bill says that the regulations may interpret that either wholly or in part on the grounds of caring responsibilities. That is clearly the logical way of interpreting who is a parent.

This is a necessary and important Bill but, more than that, it is the right thing to do. The sooner that we can get these measures on the statute book, the sooner they can start to make a little bit of difference to parents at a time when they need it most.

1.59 pm

Richard Harrington: I will not go through the long list of speakers, because other Members have already done so. Let me merely endorse what they have said.

Bills such as this give rise to two types of emotion: one prompted by our political views or policy ideas; and the other due to our personal experiences or those of our constituents. We have felt a great deal of the second type of emotion today. It would not be right for me to single out individual Members’ moving and emotional speeches. In my eight years in the House, I have never experienced anything quite like them—certainly not as a Minister responding to a debate.

I covered most of the points on Report, but I should mention some of the voluntary and other organisations and people who have taken part in this whole process: Rainbow Trust Children’s Charity; Together for Short Lives; and Lucy Herd of Jack’s Rainbow. I hope that they are pleased with the progress that we have made today. People campaign, they lobby their MPs and MPs campaign, but in the House today, MPs have spoken on the basis of their own personal and, I am afraid, tragic experiences. That is different from normal politics.

Being present, as the Minister responding to the Bill, from 9.30 am until 2 pm has meant more to me than just being on duty. It has been an experience that I will not forget. I am very pleased and very proud to be, in my small way, a part of this process, and to reconfirm the Government’s commitment to the Bill. I look forward to the speedy progress of consultation and secondary legislation, and I am sure that the other place will be as supportive as we have been today.

Question put and agreed to.

Bill accordingly read the Third time and passed.
**Representation of the People (Young People’s Enfranchisement) Bill**

**Second Reading**

2.2 pm

**Peter Kyle** (Hove) (Lab): I beg to move, That the Bill be now read a Second time.

Let me begin by paying tribute to the many people and organisations that have been campaigning for a very long time to enfranchise 16 and 17-year-olds. There are too many to mention, but I want to single out the work of one organisation, the Association of Colleges, in recent months. The AOC represents further education colleges and sixth forms across the country, and while it often campaigns on matters of policy, this is the first time it has spoken out about such a politically charged issue. Like so many other youth organisations, it understands that young people have become disempowered, and, as a community, are losing out as a result.

Investment in post-16 education is lower than investment in post-18 education, and young people today emerge into an economy that is far more complex than any before, an economy that requires them to have a wider set of social as well as technical skills in order to thrive. The challenges that our country faces are increasingly long-term, from paying off our national debt to picking up the pieces from the Brexit referendum. Those are the challenges that our generation will hand down to the next, yet our political system locks out the very people who will be living longest with the consequences. It is time for that to change. There are many technical, practical, political and even emotional reasons for the change to happen, but for me it always comes down to one thing. Our politics is missing out on the wisdom and insight of young people. Many other Members throughout the House have come to the same conclusion.

I am extremely grateful to the right hon. Member for North Norfolk (Norman Lamb) and the right hon. Member for Loughborough (Nicky Morgan) for sponsoring the Bill. Their sponsorship illustrates perfectly that this is not a partisan issue but one that has support from senior Members on both sides of the House.

**David Linden** (Glasgow East) (SNP): I am sure that the hon. Gentleman will get the usual excuses from the Government today, but does he accept the view of Ruth Davidson, the leader of the Scottish Conservatives, who said that until the Scottish independence referendum in 2014 she had opposed votes at 16, but after that process—for which the voting age was lowered—she was a convert? Does he hope that hon. Members will get their act together and support the Bill?

**Peter Kyle:** I am grateful to the hon. Gentleman for those comments. He will not be surprised to know that I intend to come back to the point that he makes in a few moments.

The hon. Member for Worthing West (Sir Peter Bottomley), who is not in his place, has been a solitary voice on this issue on the Conservative Benches, but he has been joined by a new generation of Members who are speaking out with real passion and commitment to delivering votes for 16 and 17-year-olds, in particular the hon. Members for East Renfrewshire (Paul Masterton), for Berwickshire, Roxburgh and Selkirk (John Lamont), for Ochil and South Perthshire (Luke Graham)—who is in his place—and for Ayr, Carrick and Cumnock (Bill Grant). They have been a powerful voice for change on their Benches, and we should celebrate that across the House. It is no surprise that they represent Scottish constituencies, because Scotland is the perfect illustration of why the present settlement is simply not fit for purpose.

Some people ask why 16 and not 15? There are two reasons. First, I believe that education to GCSE level equips young people with all the knowledge and critical thinking that is needed. Secondly, we have the practical experience in other parts of the United Kingdom that shows that it simply works. A 16-year-old in Scotland can vote in referendums, in local elections, and for their preferred candidate standing for the Scottish Parliament, but they have no say in who gets sent to Westminster. I do not believe that there is a Member in this Chamber willing to make the argument that the capacity needed to pick a representative for this Parliament is in any way different to that needed for the Scottish Parliament or indeed a local authority.

**Layla Moran** (Oxford West and Abingdon) (LD): My background is as a teacher, and I can certainly attest that 16-year-olds have more than the capacity to make these complex decisions. In fact, does the hon. Gentleman agree that in some cases they put much more consideration into such decisions than some adults?

**Peter Kyle:** The hon. Lady makes a powerful point, and reflects the sentiment that I have heard from teachers up and down the country since I launched this campaign.

Similarly, there is no evidence, and nobody making the argument that since 16 and 17-year-olds were enfranchised in Scotland, subsequent elections and the referendum were in any way negatively distorted as a result of their participation. Now that 16 and 17-year-olds are able to participate in Welsh elections and those in the Channel Islands, it leaves England and Northern Ireland as the democratic laggards of the United Kingdom. Britain has become a democratic postcode lottery and it needs fixing.

We should all pity the Tory candidate who has to speak at a hustings in a future English election. They will have to explain to a 17-year-old questioner why their party believes that English teenagers lack the intellect, experience and common sense of their Welsh and Scottish counterparts and cannot be trusted with the vote. It is politically unsustainable.

**Danielle Rowley** (Midlothian) (Lab): Does my hon. Friend recall the research that showed that during the Scottish referendum 16 and 17-year-olds looked at information from a greater variety of sources than any other age group?

**Peter Kyle:** I certainly agree. When I held a question and answer session with young people at Brighton Hove and Sussex sixth-form college recently, their questions were erudite, thoughtful and passionate, and rarely concerned their own lived experience in an educational establishment but addressed the big issues facing their community, our country and our planet.

**Alex Chalk** (Cheltenham) (Con): Does the hon. Gentleman think that the legal age for drinking should be reduced to 16?
Peter Kyle: I say to my hon. Friends that we have to engage with such points, and in fact I will come to them later in my speech. But I do not believe that we should link public health with voting. If we do, we need to do so in other areas too.

My Bill would not just enfranchise young people, it would embrace them. By auto-enrolling under-24s and placing polling stations in educational establishments, it would strive to get young people into the habit of voting. Evidence shows that it is a habit that lasts a lifetime.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Does my hon. Friend agree with young people such as my constituents Hannah and Hawa, who have travelled to witness this debate and say that they have their own power and articulacy and should be listened to? They say that young people like them are ambitious about politics and want to express their views.

Peter Kyle: Of course I agree, and I welcome them on behalf of the Chamber to the House today. I know that they also enjoyed a good hour and a half of the previous debate and I hope that they learned a lot from that, too.

Returning to the point made by the hon. Member for Cheltenham (Alex Chalk), some people point to things that 16-year-olds are not allowed to do, such as drinking and smoking, but I urge Members not to link voting with public health issues. I think that would be perverse, not least because I look forward to banning smoking entirely. If public health and voting ages were linked, where would that leave voter turnout? We must look at this issue on its own merits, based on the formidable capabilities of today’s young people; we must think about what kind of democracy we should be.

Karen Lee (Lincoln) (Lab): In the recent elections, the turnout was pretty abysmal—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. If the hon. Lady faces the Chair, she will be better heard, and I will know who she is so I can say her name.

Karen Lee: Thank you, Madam Deputy Speaker; I am a new Member.

As is often the case, the turnout in the recent local elections was abysmally low. Does my hon. Friend agree that if younger people could vote, turnout might improve and the result might be more representative of what the general population thinks about issues?

Peter Kyle: My hon. Friend makes an important point, and if we had longer for this debate we would air such issues in more detail.

The Scottish experience in its referendum was that the proportion of 16 and 17-year-olds who voted was 20% greater than the turnout among 18, 19 and 20-year-olds. That shows that young people of 16 and 17 are enthusiastic; and when they get into the habit of voting and have the opportunity to do so, they grasp it with both hands.

Wes Streeting (Ilford North) (Lab): As an honorary president of the British Youth Council and a former president of the National Union of Students, may I give huge thanks and congratulations to my hon. Friend for introducing this Bill? What we have just heard about the enthusiasm with which 16 and 17-year-olds have so far cast their votes when able to do so has also been reflected in the enormous support that the BYC, the NUS and other organisations have given to my hon. Friend’s Bill. That is another reason why Members on both sides of the House should support it.

Michelle Donelan (Chippenham) (Con): I take on board the hon. Gentleman’s point about not comparing voting to other things, but we cannot gloss over it as simply as that. Is it not contradictory to say that those aged 16 cannot gamble, smoke or drink, but they can vote? In fact, it was Labour who said in 2005 that those under 18 should not be gambling online; have they changed their mind on that as well?

Peter Kyle: I simply say that we must look at this issue on its own merits. I simply do not recognise that there is a fundamental similarity in skills and intellect between gambling, smoking, drinking and voting. They are fundamentally different things, and some are public health issues while voting is about participation in our democratic process. We do need to look at these issues, but they must be looked at in the context of the Bill going through Parliament.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Will my hon. Friend give way?

Peter Kyle: No, I am about to conclude.

These issues need to be ventilated, and I am grateful to the hon. Member for Chippenham (Michelle Donelan) for putting them on the record. At the same time as Labour was raising the age limit on the activities she mentioned, it also said that it was open-minded on giving the vote to 16 and 17-year-olds. I think we would find that this generation of 16 and 17-year-olds and this generation of young people are far more sensible about drink, drugs and gambling than previous generations, and I think their voice and experience should be heard as we make policies, not shut out.

We must think about what sort of democracy we want to be. Do we want to be a democracy that looks for reasons to exclude, or do we fundamentally want to be a democracy that looks to the future, and that judges citizens on their merits today rather than the prejudices of yesterday?

Luke Graham (Ochil and South Perthshire) (Con): I am conscious that we are short of time, although we should be having a full and comprehensive parliamentary debate on this matter. I welcome the cross-party support on this issue. I have worked with colleagues across the House on it, and I stand in support of the Bill today. This is not about party politics; it is about civic engagement. I support the Bill not because I am under some misguided
belief that a 16 or 17-year-old would still consider me to be a young person but because of the evidence provided by the participation of 16 and 17-year-olds in the Scottish referendum and the subsequent Holyrood and local elections. So, what is that evidence? For anyone who was involved in the referendum in 2014, it was a pretty intense political process. One highlight of the campaign was going to the Hydro in Glasgow for a debate in which 16 and 17-year-olds came up with some of the most insightful and well-informed questions for our political leaders on one of the most important constitutional issues for our country.

This is not just about the standard of debate, however. The figures back this up as well. The Electoral Commission report on the 2014 referendum showed that 75% of 16 and 17-year-olds voted in the referendum, and the commission’s report on the subsequent Holyrood election showed that 78% of 16 to 17-year-olds voted in that election. That is higher than the figure for the 18 to 35-year-olds. I can reassure my Conservative colleagues that those 16 to 17-year-olds showed a greater propensity to vote Conservative than the 18-to-35s, so there are no worries about the direction of travel.

One issue that has been raised is that of demand. Do 16 and 17-year-olds actually want the vote? Although Scotland has led the way, the NUS should also be applauded for the campaign it has been running in colleges up and down the country to assess the level of support for voting at 16 and 17. It has run a vibrant and proactive campaign.

Karen Lee: Does the hon. Gentleman agree that voting is an entirely positive thing, whereas drinking, smoking and gambling really cannot be seen in the same light?

Luke Graham: I thank the hon. Lady for her contribution. Voting is an incredibly positive engagement, although I have to say that I have derived some pleasure from drinking in the past.

Alex Chalk: On the important issue of civic engagement, does my hon. Friend think that 16-year-olds should be able to sit in judgment on their fellow citizens on a jury?

Luke Graham: That is a very good point, and it is one that we should certainly review.

Alex Chalk: Yes or no?

Luke Graham: If we are allowing 16-year-olds to vote and be part of the political process, yes, they should be part of the judicial process as well.

We have talked a lot about consistency today, and I want to turn to whether there is a difference between allowing 16-year-olds to vote and allowing them to drink, to smoke or to use sunbeds, which is a question that has been raised in Wales. The only thing that is consistent about the age-related laws in this country is their inconsistency. In pretty much every aspect of our age-related laws, we choose different levels at which to give people access. For a long time, people could vote at 18 but they could become an MP only at 21. That was changed in 2006. I see no reason why we should not have differentiated laws, allowing people to vote at 16 and run for office at 18. That is entirely consistent with saying that we want civic engagement. People would be allowed to vote before taking the next step of having the responsibility of representing 75,000-plus people.

James Cartlidge (South Suffolk) (Con): My hon. Friend is making an excellent speech. Does he agree that if we were to be completely consistent, we would have to raise the age of consent? In my view, that would lead to the creation of an awful lot of criminals. As the hon. Member for Hove (Peter Kyle) rightly said, in a cross-party spirit, each of these age limits has to be based on its own individual merits.

Luke Graham: I could not agree more with my hon. Friend. We do not need to have consistency right across the board. These different age-related laws are quite separate and they are not contingent on one another. We should not allow them to muddy the waters and clog up this debate.

Nigel Huddleston (Mid Worcestershire) (Con): My hon. Friend makes a perfectly valid point about the appropriate voting age, and I question whether 16 is the right one. I have just left a meeting with a bunch of schoolchildren in the education centre, where they were asking me the most sophisticated questions, some of which—dare I say it?—were far more sophisticated than the questions I get from their parents—[Interruption]—much as I respect the constituents of Mid Worcestershire, of course! I may have to dig myself carefully out of that one. My point is that there are some incredibly sophisticated children in this country, and they can be engaged in politics, but whether they should vote is a different question.

Luke Graham: As my hon. Friend’s point proves, age and wisdom do not necessarily go hand in hand—[Laughter.] The UK Youth Parliament and Scottish Youth Parliament representatives from my constituency have strongly advocated for votes at 16 and 17, and I applaud them for their representations. I am fortunate to have visited schools across my constituency, from Morrison’s Academy to Lornshill Academy, and the support for votes at 16 and 17 is there in the schools. Young people are engaged with the debate, and they are not only engaging within their age group, but challenging their parents and grandparents. We have a richer democratic discourse as a result.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): As a new MP visiting schools, I know that 16 to 18-year-olds are angry that they are not getting a vote. The election last year could mean no vote for five years, which has changed the age gap. These kids are upset, and I fully support the hon. Gentleman.

Luke Graham: I could not agree more. Colleagues across the House need to remember that today’s 16-year-olds will be reaching 20 come the next election, and they will probably have a bearing on our own electoral successes.

Patrick Grady (Glasgow North) (SNP): Another lesson that can be learned from Scotland is how the Scottish Parliament takes forward private Members’ Bills. This is the second Bill on votes at 16 this Session that is in danger of being talked out. The reality is that if such a proposal had the same amount of support in the Scottish
Luke Graham: The hon. Gentleman makes a point about the Scottish Parliament, but at the risk of getting slightly party political, I would draw his attention to the fact only one such piece of legislation was put before the Scottish Parliament in 2016-17, so its legislative example is not exactly leading the way. I will not take lectures on that from him in this place.

Mr Peter Bone (Wellingborough) (Con): Whatever Members may think about the current private Member’s Bill system, does my hon. Friend agree that the suggestion that it is somehow corrupt is wholly reprehensible?

Luke Graham: Returning to votes at 16 and 17, I was about to talk about the risk of having different standards across the United Kingdom, which should not be the case. As a base minimum, we should allow 16 and 17-year-olds in England to vote in their local elections, as they can in Scotland.

Education was present in the previous private Member’s Bill on this topic, but it is absent from this one, so I want to highlight the importance of civic engagement across the UK and to tackle those who say that 16 and 17-year-olds do not have the right level of education or world experience to take part in a democratic process.

Danielle Rowley: I thank the hon. Gentleman for his generosity in giving way and for his support. As a fellow Scottish Member, does he agree that young people in our constituencies often feel more disconnected from their MP than from their councillors or MSP because they can vote for them?

Luke Graham: As a fellow Unionist, I think that is something we constantly need to combat. We have to remember that Westminster is Scotland’s Parliament, too. As MPs, it is incumbent on us to go into schools to make sure we are just as accessible as many MSPs or local councillors.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): That is the point, is it not? If young people in Scotland already have the right to vote and if young people in Wales will soon have the right to vote, and if we believe in a United Kingdom, it is right that we have a united democracy in the United Kingdom, too.

Luke Graham: I could not agree more. As a basic minimum, we should make sure everyone can participate in local elections at 16 and 17.

On civic engagement, the previous private Member’s Bill, the Representation of the People (Young People’s Enfranchisement and Education) Bill, would have specifically provided for constitutional education across the United Kingdom. Obviously, education is devolved, so the exact delivery of such education is at the discretion of the devolved Administrations, but the content should be uniform across the United Kingdom.

I remind the House again that the United Kingdom would not exist without a Scottish king. The political Union that sees the unicorn side by side with the lion, and the thistle, the rose and the harp we see in every cornice and on every bit of woodwork in this building, is a reminder that this is Scotland’s Parliament, England’s Parliament, Wales’s Parliament and Northern Ireland’s Parliament together. We should make laws that bind us together and provide rights to us together.

We spoke earlier about consistency, and my hon. Friend the Member for Cheltenham (Alex Chalk) mentioned the judiciary. Again, I make the point that these laws are not contingent on each other. Like many in this House, I believe that 16 and 17-year-olds have the wit and wisdom to be able to differentiate between different rights and different activities. We should take each of those topics on its individual merit. If he wants to change the position on 16 and 17-year-olds serving on juries, I look forward to his private Member’s Bill, which I am sure will be forthcoming.

Tom Pursglove (Corby) (Con): Often the argument is made that it would be helpful to have an overarching review of all the different qualification ages. Is that something my hon. Friend would welcome?

Luke Graham: I would more than welcome a review, but we have to be careful that we do not turn such a review into another royal commission and another formal debate. We need action. We usually ask for a review when we do not have any evidence, but we have clear evidence in Scotland on the participation of 16 and 17-year-olds, on how they are contributing to our democratic discourse and on how they are influencing and participating in local democracy. We do not need a review; we need more action.

Rachael Maskell (York Central) (Lab/Co-op): The hon. Gentleman is making an excellent speech. Does he agree that, as is evident, those people in our society who are most socially excluded would be more included if they could vote at the ages of 16 and 17?

Luke Graham: I could not agree more. When I go round schools and community groups to speak to 16 and 17-year-olds, as I am sure the hon. Lady does, they really are at an inflection point in their lives. They are coming towards the end of their education or course and will be deciding which area of work they want to go into, or whether they want to go on to further or higher education. It is an important moment for us, combined with some of the education measures I mentioned earlier, to engage with those individuals so we can tell them how important they are, how valued they are as British citizens and how their voice matters. It is essential that,
as MPs, we sit down with 16 and 17-year-olds, who are the primary users of our state-funded education system and are users of other public services, and look them straight in the eye and say, “I think your voice matters.”

James Cartidge: On public services, I recently tabled a written question to the Chancellor on the amount of tax and national insurance paid by 16 and 17-year-olds. Interestingly, the figure for those who are eligible is £2,247, more than every category of pensioner, which is perhaps not surprising. Does my hon. Friend agree that one of the key issues is taxation and representation? If people are expected to pay tax and national insurance, they should have a say in how that tax and national insurance are spent.

Luke Graham: My hon. Friend makes a valuable point, and I certainly was not aware of that figure. I would be grateful if he shared the figure with me and other members of the all-party parliamentary group on votes at 16. This House probably should have learned the lesson by now that taxation without representation can lead to unforeseen and unfortunate consequences, so I hope that we can seek to avoid that in future. Many speeches and column inches are taken up with how to engage with young people. A huge multitude of think-tanks, debate nights and academic pursuits—

2.30 pm

Madam Deputy Speaker (Mrs Eleanor Laing): Order.

David Linden: On a point of order, Madam Deputy Speaker. A number of Members have, unusually, come to the House on a Friday because they wish to vote in favour of this Bill, which the Government have blocked today by means of filibustering. [HON. MEMBERS: “No!”]

Madam Deputy Speaker: Order.

David Linden: What methods are available to hon. Members to change the procedures of this House to allow us to have a vote and allow votes at 16 to become law, as is the will of the people?

Madam Deputy Speaker: I understand the hon. Gentleman’s point of order. The first part of it alleges negligence on the part of the Chair, so I cannot allow that to stand. No filibustering has taken place in this House today, because if such a thing had occurred, I would have stopped it. It is the case that we had one Bill that went through two stages and it took a long time to do that. Therefore, this Bill has had only half an hour’s consideration. That is perfectly proper under the rules of the House. His question about changing the procedures is a very good one that has merit, although I of course express no opinion as far as that is concerned. I suggest that he, and any other Members who feel as he does, should consult the Chairman of the Procedure Committee, who might wish to consider the points that he has made.

Lloyd Russell-Moyle: Further to that point of order, Madam Deputy Speaker. When we tried to bring this matter to a vote with the last private Member’s Bill on the subject, you stated that you felt more time was needed to debate this issue. Could you advise me on how much more time you think is needed to debate this issue before this House will get a vote on it?

Madam Deputy Speaker: It is normal for the Second Reading debate on a Bill to have some three, four or five hours on the Floor of the House. This Bill has had only 28 minutes this afternoon, but the matter is not up to me. It is normal to have considerably longer than 28 minutes to deal with very important matters.

The debate stood adjourned (Standing Order No. 11(2)).

Ordered, That the debate be resumed on Friday 26 October.

Madam Deputy Speaker: It will be resumed on 26 October—that is the answer to the question asked earlier. We shall hopefully then have another opportunity to discuss this important matter.

Business without Debate

NATIONAL HEALTH SERVICE (CO-FUNDING AND CO-PAYMENT) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 15 June.

LOCAL AUTHORITIES (BORROWING AND INVESTMENT) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 15 June.

PRINCIPAL LOCAL AUTHORITIES (GROUNDS FOR ABOLITION) BILL

Motion made, that the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 15 June.

COASTAL PATH (DEFINITION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 15 June.

Madam Deputy Speaker (Mrs Eleanor Laing): I know that I said earlier that repetition was not in order, but at this point it is in order.

JUDICIAL APPOINTMENTS AND RETIREMENTS (AGE LIMITS) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 15 June.
REPRESENTATION OF THE PEOPLE (YOUNG PEOPLE’S ENFRANCHISMENT AND EDUCATION) BILL

Resumption of adjourned debate on Question (3 November), That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 26 October.

Madam Deputy Speaker (Mrs Eleanor Laing): So Members are to have two opportunities on 26 October.

UNIVERSAL CREDIT (APPLICATION, ADVICE AND ASSISTANCE) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 23 November.

MARRIAGE (SAME SEX COUPLES) (NORTHERN IRELAND) (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 26 October.

SUPERVISED DRUG CONSUMPTION FACILITIES BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 6 July.

HOSPITAL (PARKING CHARGES AND BUSINESS RATES) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

HOUSE OF LORDS (EXCLUSION OF HEREDITARY PEERS) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 26 October.

PRIVATE LANDLORDS (REGISTRATION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 26 October.

BBC LICENCE FEE (CIVIL PENALTY) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

INTERNATIONAL DEVELOPMENT ASSISTANCE (DEFINITION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

BENEFITS AND PUBLIC SERVICES (RESTRICTION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

ELECTRONIC CIGARETTES (REGULATION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

PEDICABS (LONDON) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

VOTER REGISTRATION (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

KEW GARDENS (LEASES) (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

RIVERS AUTHORITIES AND LAND DRAINAGE BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.
WILD ANIMALS IN CIRCUSES BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

FORENSIC SCIENCE REGULATOR BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

ROAD TRAFFIC OFFENDERS (SURRENDER OF DRIVING LICENCES ETC) (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.
Bill to be read a Second time on Friday 15 June.

Helen and Douglas House Hospice

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

2.38 pm

Layla Moran (Oxford West and Abingdon) (LD): I am so grateful that the House has allowed me to speak about funding for the Helen and Douglas House Hospice in Oxford. It is an incredibly important matter, not least because Helen House was the world’s first children’s hospice, starting the children’s hospice movement that spread around the world. It opened in 1982 to provide a home for terminally ill babies, children, young adults and their families. In 2004, Douglas House was opened by Her Majesty the Queen to provide care for 16 to 35-year-olds, not just in Oxfordshire but throughout the whole south-east. It provides specialist services for young adults, bridging that crucial gap between children’s and adult hospices.

I am sorry to say that we have to be here today because those services are under threat. Indeed, 48,000 people signed a local petition—that is extraordinary for a local petition—calling on the Prime Minister to intervene to stop the closure of Douglas House and to make sure that those services are properly funded. That is a staggering amount of public support and I hope that the Minister takes that to heart today.

Let me start by outlining the value and importance of Helen and Douglas House. I think that it is best summed up by my constituent Alison, who is a volunteer in the hospice. She said:

“Helen and Douglas House really is one of a kind, providing a lifeline both to those needing end of life care, and their families—from befriending and home support services, to The Elephant Club for bereaved siblings; to the annual remembrance service. Helen and Douglas House brings these families together, providing a support network to help them enjoy the time they have left together, and to face the future afterwards.”

Families rely on the work of Helen and Douglas House and they are indebted, as we all are, to the dedicated army of staff, volunteers and fundraisers who go above and beyond, and also to the nurses and the medical team.

Robert Courts (Witney) (Con): The hon. Lady is making a very powerful and moving speech. Helen and Douglas House is not far from my constituency—it borders my constituency. I have visited it, and I am sure that she has, too. Perhaps she will agree with me that it is an oasis in the centre of Oxford. I wish to pay tribute—as I am sure that she does too—to everybody who works there, to all the volunteers, to the extraordinary therapy provided for the patients and to the support network that is provided for the family.

Layla Moran: I very much thank the hon. Gentleman for his intervention, and completely endorse what he says. The care that the hospice provides is world class and one of a kind. With the closure of Douglas House—I will get to this later—we will see hospices across the area having to deal with the extra need. Helen House is truly unique. I wish to pay tribute to some amazing fundraising efforts. Paul Townsend of Abingdon and Stuart Ryan of Farrington are looking to raise £92,000 for Helen and Douglas House, and also for Sobell House in Oxford, with a tour of 92 football grounds in the 2018-19 football season—I suspect that there may
also be an ulterior motive to their fundraising efforts, but I wish them well. Golfer Eddie Pepperell from Abingdon will wear a Helen and Douglas House cap for the televised BMW PGA championship in Wentworth later this month. He has also raised £7,500 via JustGiving.

Local businesses, including Stagecoach, radio station Jack FM—of which I am a huge fan—and Reed recruitment are just a few examples of the local businesses that have taken Helen and Douglas House into their hearts. The strength of feeling in the community across the whole of Oxfordshire is palpable.

Bambos Charalambous (Enfield, Southgate) (Lab): Does the hon. Lady agree that it is a real shame that many hospices, such as the North London Hospice in my constituency, have to resort to fundraising to provide palliative care, which is so massively under-resourced with the NHS?

Layla Moran: I absolutely agree with the hon. Gentleman. There is a more systemic issue that I will get to later in my speech.

I now wish to tell the story of Sienna, who very much exemplifies one of the children and many of the families who we know use Helen and Douglas House. She is six years old and lives in Wootton with her mum, Kay, and dad, Andy. Her brother, Jamie, is 13 and sister, Ella, is 12. Sienna was born with Dravet syndrome, a rare and catastrophic form of epilepsy. Kay said:

“Being Mum for Sienna is like having a new-born baby for life. She cannot do anything for herself and therefore requires 24-hour care and monitoring. Her health is fragile and she is constantly dealing with illness and seizures, which are worse when she gets a temperature. Looking after a child like Sienna can consume much of my time, so having help is essential so that I can also be Mum to my other two children.”

She goes on to say:

“When Andy and I need a few days to spend time as a couple, or do something active with Jamie and Ella, Helen and Douglas House provides Sienna with a welcoming and safe place to go. Helen House is sensitive to the needs of our family and in that way it feels a lot like coming home; a safe haven. It makes me feel normal again and able to carry on.”

That very much exemplifies what hospices across the country do.

Let us get to the crux of the issue, however. The hospice is now facing the closure of Douglas House. Why is this happening? First, we have a situation where more babies are being born earlier and therefore many of them have more severe issues, and also medical advances mean that they are living longer. That is fantastic, but there is a knock-on effect in the wider system because demand is increasing. This is a third-sector organisation that, when it was first set up, never wanted or asked for money from the NHS but now finds itself providing services that the NHS itself should be providing, and facing a shortfall of £3.6 million. It brings in a huge amount—£52.3 million a year—but its expenditure is £55.9 million.

That is why we are now facing the closure of Douglas House, with a loss of care for 90 patients and 60 job losses. These are specialist nurse and medical teams that I fear would disappear from our ecosystem in Oxfordshire and have to end up going elsewhere. The hospice is also considering a review of its 37 excellent shops, which I often shop in. It currently receives zero funding from the local clinical commissioning group. That is the crux of the issue. Some beds are brought in by the NHS—roughly 12%—but zero per cent. of its funding comes from the CCG. I would argue that that is partly why the deficit has built up over time. In a way, the NHS is abdicating some of its responsibility towards an organisation that has been very strong at fundraising in the past but is now struggling and still being asked by the NHS to provide this service.

It is worth noting with cautious optimism that in more recent times—literally the past couple of weeks—the CCG has told the hospice that it might be able to give it some money, in the order of £100,000. However, hospices in nearby areas such as Buckinghamshire and even Birmingham that are doing similar things are being funded in the order of 30% to 37% rather than the 12% that Helen and Douglas House gets from the NHS.

I would like the Minister to address some of the bigger systemic issues. Of course, if there were a magic pot somewhere that she wanted to announce, that would be lovely, because we desperately need the money, and if we could in any way avoid the closure of Douglas House that would obviously be the best option. Will she explain why children’s hospices are funded less than adults’ hospices? That is the top ask. We need to ask ourselves whether that is fair. Together for Short Lives, the fantastic charity that does work in this area, is calling on the Government to grant £25 million a year to bring in funding parity. I think that is a fair ask given the amount of work that the hospice does. I should point out that the Scottish Government have already earmarked £30 million over the next five years to do just that. I know that nobody in this place ever wants to fall behind the Scots, so let us make sure that we get this right.

In 2016, the Government’s response to the review of choice in end-of-life care stated that to support high quality personalised care for children and young people, commissioners and providers of services must prioritise children’s palliative care in their strategic planning. If that is true, then why did we get to the point where Oxfordshire’s Helen and Douglas House received nothing from the CCG? While I appreciate that the Government are making the right noises on this, I am asking for some clarity on oversight. Are they checking and challenging the CCG, because I am not convinced that that has happened so far? It really should not take a petition of 48,000 people to get to the point where the CCG is finally starting to listen. That is ridiculous. Where else in the country is this happening? We have amazing organisations falling by the wayside.

There are some more specific things about Helen and Douglas House that I would like the Minister to address. The first is communication. The Government need to take some ownership of this. On 14 February, I wrote to the chief executive of Oxfordshire clinical commissioning group about the future of Helen and Douglas House. I was met with quite a lengthy waiting time and got a response—clearly a “cut and paste”—from the community and engagement team on 27 March. Their main argument was that Helen and Douglas House has the capacity to bid for contracts. Helen and Douglas House told me that the contract was being asked to bid for was so vast, and the sort of care it was being asked to provide was so huge, that it did not feel it was the right fit for that pot of money.
It is a proactive organisation, so it reached out to the CCG and said, “We can't bid for this”—in fact, Barnardo’s now has this contract—“but what we can do is this, that and the other. Can you help us? We’re providing a great service,” but it received radio silence from the CCG, with delay after delay. It had some meetings where it felt things were going forward, and then nothing happened. That lack of communication and lack of accountability for what the CCG does is the crux of what I would like answered today. If excellent organisations like Helen and Douglas House, which has a long-standing and illustrious history, are not able to engage with the CCG, where else is that going wrong, and what handle do the Government have on that? I welcome what the CCG has now done, but are we sure there are not hospices elsewhere where that is happening?

The last point I would like to make is about the false economy of not providing this care. This is critical. The intensive care nurses in the John Radcliffe, when speaking to the chief executive, said, “These are the children on the wards who we worry about the most.” These are the sickest children in our society, and if they are not being given that care before, and if the families are not properly equipped to do what they need to do to prevent these children from going into intensive care, we all know how much that costs. There is a cost argument. The children obviously would much rather not have to go into intensive care; they would rather have the care at home, or if their parents have respite, they can give that care properly. If we end up not spending the money, further down the line, all we will end up with is NHS trusts having to provide the intensive care for these children.

There is a disincentive in the system, because the money for NHS intensive care comes from the trusts, but the money for hospices comes from the CCG. It is clear to me that that is where the bottleneck lies. That communication is not working freely. The overall picture is not working well. We saw a move from Government, with the name change to the Department of Health and Social Care, earlier this year, towards more joined-up thinking in this area. However, I want to know what the Minister has been doing to unblock this specific issue. I was disappointed that when I asked a written question on this matter, the Minister wrote back saying that there had been no discussions at all with Helen and Douglas House, despite the fact that it has been raised in this place and the other place.

We are now getting some traction, but £100,000 is not enough. Helen and Douglas House has asked for £215,000, which would bring parity with neighbouring counties. What can the Minister do to unblock this? What can she do to ensure that in future, other hospices like Helen and Douglas House do not have to make a massive media ruckus and go to their MP to get an Adjournment debate, and that they can provide the care that we desperately want the most poorly and vulnerable children in our society to receive?

2.53 pm

Caroline Dinenage: I can't bid for this—but what we can do is this, that and the other. Can you help us? We’re providing a great service,” but it received radio silence from the CCG, with delay after delay. It had some meetings where it felt things were going forward, and then nothing happened. That lack of communication and lack of accountability for what the CCG does is the crux of what I would like answered today. If excellent organisations like Helen and Douglas House, which has a long-standing and illustrious history, are not able to engage with the CCG, where else is that going wrong, and what handle do the Government have on that? I welcome what the CCG has now done, but are we sure there are not hospices elsewhere where that is happening?

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2.53 pm

Robert Courts: I thank the Minister for her kind words, which are appreciated. Concern about this issue is felt all over Oxfordshire and throughout the wider south-east. Does she agree that it is important that the CCG continues to engage with all interested parties locally, including Members of Parliament, and that this underlines the importance of a close link between care and the NHS?

Caroline Dinenage: I believe that my hon. Friend has visited the hospice and I know that he works keenly on this subject. I totally understand the feelings of local people, and I feel strongly that CCGs need to engage with local communities and ensure that the services they commission meet local needs and support local people.
With Douglas House planning to close from July, the hospice has been discussing with Oxfordshire CCG the future of Helen House, which provides hospice beds for children aged between nought and 18. Oxfordshire CCG wants to look at a more collaborative approach to end-of-life commissioning once its current contract for adult hospices finishes in September 2019. The hon. Lady spoke about how the hospice has been excluded for bidding for certain contracts because of the wide nature of what they entail, but the process allows smaller providers such as Helen and Douglas House to work with others to bid for contracts. In the meantime, Oxfordshire CCG is keen to pilot collaborative working with the hospice, which is why it has offered £100,000 for a pilot project until September 2019. Wider discussions are taking place between the hospice trustees and local partners, including Oxfordshire CCG, NHS England and Oxford University Hospitals NHS Foundation Trust, to examine future models of care and the longer-term sustainability of the hospice. NHS England has also been involved in those discussions.

Across England, there are 223 registered independent hospices and a very small number of public hospices that are run by NHS trusts. Around three quarters of those provide adult services, with the remainder caring for children and young people. Funding amounts vary among CCGs, but on average adult hospices receive approximately 30% of their overall funding from NHS sources. CCGs are responsible for determining the level of NHS-funded hospice care locally, and for ensuring that they meet the needs of their local populations.

In addition to NHS funding for locally commissioned services, in 2017-18 children's hospice services received £11 million through the children's hospice grant. This is awarded annually and administered by NHS England. Children's hospices tend to receive smaller amounts of statutory funding because of the way they have developed and the services they provide, and the grant provides the additional support they need. Unlike adult hospices, which are focused on end-of-life care, children's hospices can provide support through much of a child's life. Children's hospices encompass much more than clinical care, including family support, recreational support, respite care and so on.

In 2016, as I think the hon. Lady mentioned, the Government published the end-of-life care choice commitment, which encompasses a whole-system approach to transforming end-of-life care, placing the patient, and their choices, needs and preferences, at the heart of planning. That is so important. The Government and NHS England need to collaborate with partners in the voluntary sector, including key hospice and end-of-life care charities, to ensure that the quality and availability of services continues to improve, and that our end-of-life care commitment is delivered.

One key objective is to strengthen the provision of services in the community so that when people are approaching the end of their life, they can be supported to be wherever they choose to be—whether in their home, a hospice or a care home. Work is ongoing nationally—the hon. Lady talked about how we can join it up in local areas—to provide sustainability and transformation partnerships with the tailored information they need to address and enhance the services in their own areas. NHS England has commissioned Hospice UK to undertake an evaluation of the cost-effectiveness of hospices and their interventions in the community. Amazingly, there is very little evidence in this area, but these resources will build on the range of guidance and support provided by NHS England, Public Health England and our charitable partnerships.

It is very important—today's debate underlines this—to be able to assess how effectively commissioners are working to improve their services, to measure progress and to improve accountability. We will soon have a new indicator in place, which is designed to measure how well patients are supported in the community. This will help to drive improvements in sustainability, which is the big issue in this case, as well as quality and choice. It is very clear that hospice care remains a key part of the Government's vision for high-quality end-of-life and respite care both in Oxfordshire and throughout the rest of the country.

Question put and agreed to.

3.2 pm

House adjourned.
Westminster Hall

Monday 30 April 2018

[IAN AUSTIN in the Chair]

Minors Entering the UK: 1948 to 1971

4.30 pm

Steve Double (St Austell and Newquay) (Con): I beg to move.

That this House has considered e-petition 216539 relating to people who entered the UK as minors between 1948 and 1971.

It is a great pleasure to serve under your chairmanship, Mr Austin. It is also a great honour to open the debate on this important and pressing issue. To make it clear, I do so as a member of the Petitions Committee, which agreed to schedule the debate today.

I thank the petitioner, Mr Patrick Vernon, whom I had the pleasure of meeting just before the debate, and the more than 178,000 people who have signed the e-petition in just a few days. It calls for an amnesty for any minor who arrived in Britain between 1948 and 1971. Its goes into further detail and includes a link to a story published by The Guardian on 30 March about Elwaldo Romeo, a man who moved from Antigua to the UK nearly 60 years ago as a child and who has lived and worked in this country ever since. Mr Romeo received a letter from the Home Office stating that he was liable to detention as he was classified as a “person without leave.”

After Mr Romeo experienced difficulty in producing documentation to prove his identity and right to remain in the UK, he was asked to report to the Home Office every fortnight and offered help and support to return home voluntarily, according to The Guardian. He is understandably anxious that the Home Office will pay a visit to his doorstep and forcibly detain him.

John Howell (Henley) (Con): During the Commonwealth Heads of Government meeting, the BBC interviewed a Caribbean Prime Minister who stated that this was “more cock-up than conspiracy”. Does that not influence our decision? It was an administrative mistake that must be put right as quickly as possible.

Steve Double: My hon. Friend is right. This is a mistake, not a conspiracy, with a well-meaning policy having been wrongly applied to people to whom it should never have been applied. I will go on to develop that point, as I am sure other right hon. and hon. Members will do.

Lyn Brown (West Ham) (Lab): I am staggered by what the hon. Gentleman said about a “well-meaning policy”. How can the creation of a hostile environment, and putting a hostile environment into a policy, be well meaning? It is time for an apology, not thin, sanctimonious explanation.

Steve Double: I thank the hon. Lady for that intervention. If she can wait to hear what I will go on to say, all will become clear. I hope that we can keep the tone of the debate constructive and positive and put right what has gone wrong for the benefit of those who have been affected. Those who want to score political points may feel free to do so, but I will not seek to do that. I will seek to address the concerns of the people who have signed the petition.

Leo Docherty (Aldershot) (Con): I am grateful to my hon. Friend for the calm tone he has struck in initiating the debate. Given the previous intervention, does he agree that it is important to remember that a Labour Government first coined the term “hostile environment”? [Interruption.]

Steve Double: My hon. Friend makes a good point.

Simon Hoare (North Dorset) (Con): The hon. Member for West Ham (Lyn Brown) said from a sedentary position that my hon. Friend the Member for Aldershot (Leo Docherty) was wrong in how he had intervened.

Lyn Brown: It was your policy—2014.

Ian Austin (in the Chair): Order.

Simon Hoare: The hon. Lady keeps saying an awful lot of stuff from a sedentary position. Does my hon. Friend accept that the rewriting of history on such a sensitive issue is unhelpful to both sides of the debate and to moving this thing forward? For perfectly legitimate reasons at the time, the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) referred not only to having a hostile environment but to seeking to flush out illegal migration. “Illegal” is the key word.

Steve Double: My hon. Friend makes a pertinent point. We must be clear in differentiating between illegal immigration and people who clearly have a right to remain in this country but, for all sorts of reasons, are having trouble proving that right. That is the difference. Governments of different parties over many years have taken various steps in robust action against illegal immigration, and rightly so, but when we conflate those two issues in the current situation we do a disservice to those of the Windrush generation who have a legal right to stay.

Mr Jim Cunningham (Coventry South) (Lab) rose—

Steve Double: I will take interventions again in a while, but I need to make some progress. Mr Romeo’s story was one of many that drew widespread public concern about the status of the Windrush generation and their children, who have spent most if not the entirety of their lives in this country. Other awful examples of treatment faced by members of the Windrush generation have come to light in recent weeks, which has rightly led to many people being concerned, as evidenced by the number of people who have signed the petition in just a few days. While the situation is devastating for all those affected and should never have happened, it provides all of us with a timely reminder to learn from a significant period in time for our nation.

Mr Cunningham rose—
the generation that helped us build the NHS. They were not economic migrants or asylum seekers. Theirs was to come to this country as British subjects, to help us rebuild our country in the years after the war. They are the many social, economic and cultural challenges of the West Indies who had just been given citizenship of the United Kingdom and colonies under the British Nationality Act 1948. Advertisements appeared in local newspapers in Jamaica offering cheap transport for anyone who wanted to make a living in the UK. Among that group of British subjects, nearly half were former servicemen who wanted to return to the nation they were enlisted to fight for during the war, while others were simply attracted to the better opportunities offered by what they affectionately and proudly called the mother country.

The arrival of the Windrush passengers marked the beginning of a multicultural, modern Britain. In the following decades, thousands from the Caribbean and other Commonwealth countries followed in their footsteps. Together, they became known as the Windrush generation. Most intended to stay for a few years, save some money and return to the West Indies. However, as time passed, the majority decided to remain and make this country their home. They married, raised families and built their lives here.

Mr Jim Cunningham: I thank the hon. Gentleman for giving way. Simply put, if we have a proper inquiry, we can establish who did what, who introduced what, who gave certain instructions and what happened in the Home Office. Targets were part of it and a hostile environment was a part of it. Let us have a proper inquiry to clear it up and find out what actually happened so we do not have this Tweedleddee and Tweедledum. Furthermore, it does not stop with the West Indies; I suspect other groups were affected by the same Home Office. Targets were part of it and a hostile environment was a part of it. Let us have a proper inquiry to establish who did what, who introduced what, who gave certain instructions and what happened in the Home Office. We should have an inquiry and sort it out.

Steve Double: An inquiry may or may not be appropriate, but my focus is on getting things right for the people who have been affected by the current situation. There are lessons for the Home Office and the Government to learn for the future, and those lessons will be learned, but our focus now needs to be on righting a wrong that has happened and ensuring that the people affected get all the help and support they need at this time.

John Spellar (Warley) (Lab): There are lessons for the Home Office and the Government to learn for the future, and those lessons will be learned, but our focus now needs to be on righting a wrong that has happened and ensuring that the people affected get all the help and support they need at this time.

Emma Reynolds (Wolverhampton North East) (Lab): I will make a bit more progress.

Steve Double: I will make a bit more progress. It is almost 50 years since the Empire Windrush docked at the port of Tilbury on 22 June 1948. It brought with it the hopes and dreams of more than 500 passengers from the British West Indies who had just been given citizenship of the United Kingdom and colonies under the British Nationality Act 1948. Advertisements appeared in local newspapers in Jamaica offering cheap transport for anyone who wanted to make a living in the UK. Among that group of British subjects, nearly half were former servicemen who wanted to return to the nation they were enlisted to fight for during the war, while others were simply attracted to the better opportunities offered by what they affectionately and proudly called the mother country.

The arrival of the Windrush passengers marked the beginning of a multicultural, modern Britain. In the following decades, thousands from the Caribbean and other Commonwealth countries followed in their footsteps. Together, they became known as the Windrush generation. Most intended to stay for a few years, save some money and return to the West Indies. However, as time passed, the majority decided to remain and make this country their home. They married, raised families and built their lives here.

Emma Reynolds: The hon. Gentleman is right that we must learn the lessons of what happened. However, my constituent, Paulette Wilson, was detained in October. She has been here for 50 years; she worked in the UK. She worked in Parliament, serving MPs. What she, her family and I want to know is why it took her detention, the appalling treatment of others, for the scandal to come to light.

Steve Double: The hon. Lady makes a very good point and I shall go on to address it. I will just say that on this occasion the Home Office has been too slow to respond. There were warning signs about it and more should have been done sooner. I do not think anyone is arguing anything other than that mistakes have been made that have been deeply damaging to some people’s lives, that it should not have happened, and that we must put it right and make sure it never happens again.

John Spellar: This relates to the core not just of the policy but of the practice. What is wrong with the Home Office? When it is quite clear that things are going wrong, why is there no overriding corrective mechanism? When senior officials are approached by Members of Parliament why do they not look at the matter again in the light of what has been raised with them? Why do Ministers not intervene to resolve it? Why has it taken so long, when it was crystal clear, in the press and in correspondence, that something was going seriously wrong? There is a deep structural problem in the Home Office immigration department that needs to be addressed.

Steve Double: I would respectfully say to the right hon. Gentleman that I suspect that question is more for the Minister than for me. I think it is above my pay grade to answer for the Government on those issues. I recognise that there are such issues, but perhaps the Minister will respond or the right hon. Gentleman will raise the issue later.

We have a duty to ensure that the Windrush generation and their children know that they are welcome here and belong here. We do not want our Commonwealth citizens who came to this country between 1948 and 1971, and who made their life in the UK as law-abiding citizens, to feel unwelcome or to be in any doubt about their future.
in this country. It should be stated that the response from the Home Office to the situation has been too slow. Not only should the situation never have occurred, but once it was known about the Government should have spotted what was happening and reacted much more quickly. However, although they are late, I commend the actions that the Government are now taking to help the Windrush generation and their children to obtain their right to remain here. The clear apologies from the Prime Minister and other members of the Government have been welcome, but we need more than words. We need action to correct what has gone wrong.

The then Home Secretary first announced on Monday 16 April that she was establishing a new dedicated team to help the Windrush generation to evidence their right to be here and to access the public services that they need. The team aims to resolve cases within two weeks of evidence being produced. She also stated that the Home Office does not intend to ask the group to pay for their documentation. Last Monday she expanded on her initial statement by committing to waive citizenship fees for Windrush generation members who are applying for citizenship, to waive the language and life in the UK tests for them, and to waive the administrative costs for the return to the UK of Windrush retirees currently residing in their country of origin.

The former Home Secretary also announced other measures, which are of particular interest to the petition’s signatories. First, the petition called for Windrush minors to be given the right to remain in the UK; indeed, most Windrush generation children in the UK are already British citizens. However, should they have to apply for naturalisation, the Government will waive the associated fees. Secondly, the petition states that “the government should also provide compensation for loss and hurt”.

The Government have said that a new compensation scheme will be set up for those who have suffered loss as a result of this issue. That is clearly the right thing to do, but I want to ask the Minister whether the Government have considered providing, as part of the compensation package, support and counselling for those who have suffered distress, stress and upheaval that has affected their day-to-day lives. It should not just be about recompensing them for costs they have incurred; it should also be about the support they need to get over, and move on from, their traumatic experience.

Leo Docherty: My hon. Friend is laying out in useful terms the series of actions that the Government are taking. Does he feel, as I do, that the leadership provided by the new Home Secretary this morning will prove decisive? I have just come from the Chamber, where he said he will do whatever it takes to deal with the matter in a timely and decisive fashion. Does my hon. Friend share the confidence I have in the new Home Secretary?

Steve Double: Indeed I do. I would add that I think the previous Home Secretary was completely committed and was taking action to address the issue. However, I also have tremendous faith in the newly appointed Home Secretary and that he will get to the heart of the issue and make sure that things are put right and that the lessons that need to be learned are learned, and I shall come on to that point now.

Going forward, officials working at all levels of the Home Office must learn important lessons from the failures that have beleaguered the Windrush generation and their children. The lessons of Windrush never have happened, and there were warning signs, with Members coming forward in recent weeks to say that they were receiving casework relating to the issue.

Siobhain McDonagh (Mitcham and Morden) (Lab): Will the hon. Gentleman give way?

John Spellar: Will the hon. Gentleman give way?

Steve Double: I shall make a bit more progress and then allow an intervention.

Ministers and Home Office officials must now focus on establishing the status of the Windrush generation and their descendants with all possible speed, and ensure that the administrative issue of missing documentation for our citizens is not a barrier. Windrush cases must be prioritised. The Home Office must also take a far more proactive approach; it cannot wait until a particular case has gone into the public domain before deciding to take action to resolve it. The Windrush generation are British—they belong here—and the task now is to provide them with a legal status that reflects that. I applaud the new team’s intent to resolve cases within two weeks after evidence has been produced. It is vital to keep to such commitments to restore public trust in the Home Office.

In the past week, since I agreed to lead the debate, I have been engaging with lawyers and volunteers assisting members of the Windrush generation to secure their legal status, as well as with church and community leaders who represent the group. Many of those people are descendants of the Windrush generation or have a personal connection to them. They have expressed concerns about the capacity and effectiveness of the dedicated helpline that was set up to deal with inquiries. They have also asked whether there will be a deadline beyond which the Home Office might not be able to give further help to those seeking it. Will the Minister clarify what her Department will do to ensure that the helpline can give help effectively to everyone who seeks advice and whether there will be a deadline or cut-off point after which people might not get the help they seek from the new helpline?

I am glad the former Home Secretary acknowledged that the burden of proof to produce evidence of their legal right has been too much for some and suggested that the Department will deal with those individuals in a more personal manner. They came as British subjects and were not subject to any condition or restriction when they entered the UK. As we now know, many have found the task of producing evidence of their continuous residency here difficult. We need to prevent the Windrush generation and their children from facing further uncertainty over their status in the future and to allow them to be treated with the dignity and respect they deserve.

On 22 June this year, we will mark the 70th anniversary of the arrival of HMS Windrush. That is a great opportunity to inform the British public about the positive legacy of that generation of pioneers and to help younger generations to appreciate the sacrifices that they have made for this country. I ask the Minister whether there are any plans for the Government to
commemorate that monumental occasion and to celebrate the contributions that the Windrush generation has made to British society.

With Brexit fast approaching, the Government must get things right for EU citizens. The Home Office must work now to ensure that the EU citizens who decide to stay here legally after Brexit know that they are welcome and that they will not face similar treatment.

John Spellar: A couple of times the hon. Gentleman has referred to these issues as though they have blown up only in the last few weeks. There may have been massive press coverage in the last few weeks, but the issues have been going on for months and indeed years. There has been an almost complete failure to recognise that and to put the corrective mechanisms in, which is precisely why a full restructuring of the immigration directorate in the Home Office is required.

Steve Double: I think I did say that there had been warning signs and cases for some time now that should have highlighted the problem. I do not know whether it is years or months; I have certainly been aware of it for months, but if the right hon. Gentleman says it is years, I am not going to argue with him. Whatever the period of time is, I think we all agree that action should have been taken sooner to address the issue, before it reached the state that it did in recent weeks. On that, we can absolutely agree.

To go back to the question of EU citizens, I commend the Home Office for preparing for a new form of scheme in the near future.

Catherine West (Hornsey and Wood Green) (Lab): Is the hon. Gentleman aware that there is a chance that EU citizens will be a ble to publish further details about the identification to avoid similar mistakes. I hope the Home Office absolutely agree.

The hon. Lady raises a point I am not aware of, and is not really for me to answer it. She might like to address it to the Minister, who might respond to it later. I was not aware of that point, but I am sure it is a valid and important one.

We need an immigration system that is effective and fair. Many of my parliamentary colleagues and I are of the belief that we need a robust and competent immigration system that is also fair and humane to people seeking to legally enter and settle in this country. We have to send clear messages to discourage illegal immigration, and this and previous Governments have taken steps to be tough in tackling it. I believe the British public want the Government to be tough on illegal immigration. However, we also need to be clear that this issue is not about illegal immigration, and to make it about the way the Government handle illegal migrants is missing the heart of the point. The Windrush generation are not here illegally and never have been. In this case, well-meaning policies have been applied to the wrong people, with devastating consequences for the lives of our citizens. There are clearly lessons to be learned from that, but if our reaction is to weaken our stance on illegal immigration, we will be doing the British people a disservice.

A change of culture is needed at the heart of the Home Office, because the focus has been on policy and process and not on people. We must never lose sight of the fact that at the heart of these policies are people—individuals and families who deserve to be treated fairly and with dignity and respect. It is right that immigration needs to be managed—it cannot be uncontrolled—but managing immigration can be just and compassionate. That can be challenging, but it is essential. We must have a just and fair immigration system that works for the British people, that is open to people with the skills and talents to fill much-needed roles in our economy, and that is compassionate to the most vulnerable, the persecuted and the displaced.

We owe the Windrush generation a huge debt of gratitude for a number of things: for coming to help our nation at a time of need, for the contribution they have made to our nation for the past 70 years, for the lessons they have taught us and for the important part they have played in shaping modern Britain as a tolerant, multicultural nation. I suspect that we will soon owe them another thank you. Through this terrible experience, which I know has been painful and caused distress to many, they are again teaching us an important lesson: they are forcing us to look at the type of country we want to be in the future, they are making us look at the consequences, no matter how unintentional, of the way we handle immigration, and they are reminding us of the values that made us into the great nation of the modern post-war world. Those are important lessons, and this is an important time for us to be reminded of them.

In closing, I reiterate the crucial message that we want to send to all Commonwealth citizens who have legally chosen to make Britain their home: you are a vital part of this country, and we are immensely grateful for the contributions you have made to our culture, our economy and our society over many years. You have helped to make us the country we are. You and your children are welcome to stay here. We want you to stay, and we want to do everything we can to make you feel welcome.

4.57 pm

Mr David Lammy (Tottenham) (Lab): Mr Austin, I am very proud to stand here on behalf of the 178,000 people who have signed the petition. I am proud to stand here on behalf of the 492 British citizens who arrived on Empire Windrush from Jamaica 70 years ago. I am proud to stand here on behalf of the 72,000 British citizens who arrived on these shores between the passage of the British Nationality Act 1948 and the Commonwealth Immigrants Act 1962, including my own father, who arrived from Guyana in 1956.

It is a dark episode in our nation's history that this petition was even required. It is a dark day indeed that we are here in Parliament having to stand up for the right of people who have always given so much to this country and expected so little in return. We need to remember our history at this moment. In Britain, when we talk about slavery we tend to talk about its abolition, and in particular William Wilberforce. The Windrush
story does not begin in 1948; the Windrush story begins in the 17th century, when British slave traders stole 12 million Africans from their homes, took them to the Caribbean and sold them into slavery to work on plantations. The wealth of this country was built on the backs of the ancestors of the Windrush generation. We are here today because you were there.

My ancestors were British subjects, but they were not British subjects because they came to Britain. They were British subjects because Britain came to them, took them across the Atlantic, colonised them, sold them into slavery, profited from their labour and made them British subjects. That is why I am here, and it is why the Windrush generation are here.

There is no British history without the history of the empire. As the late, great Stuart Hall put it:

“I am the sugar at the bottom of the English cup of tea.”

Seventy years ago, as Britain lay in ruins after the second world war, the call went out to the colonies from the mother country. Britain asked the Windrush generation to come and rebuild the country, to work in our national health service, on the buses and on the trains, as cleaners, as security guards. Once again, Caribbean labour was used. They faced down the “No blacks, no dogs, no Irish” signs. They did the jobs nobody else wanted to do. They were spat at in the street. They were assaulted by teddy boys, skinheads and the National Front. They lived five to a room in Rachmanite squalor. They were called, and they served, but my God did they suffer for the privilege of coming to this country.

But by God, they also triumphed. Sir Trevor McDonald, Frank Bruno, Sir Lenny Henry, Jessica Ennis-Hill—they are national treasures, knights of the realm, heavyweight champions of the world and Olympic champions, wrapped in the British flag. They are sons and daughters of the Windrush generation and as British as they come. After all this, the Government want to send that generation back across the ocean. They want to make life hostile for the Windrush children—to strip them of their rights, deny them healthcare, kick them out of their jobs, make them homeless and stop their benefits.

The Windrush children are imprisoned in this country—as we have seen of those who have been detained—centuries after their ancestors were shackled and taken across the ocean in slave ships. They are pensioners imprisoned in their own country. That is a disgrace, and it happened here because of a refusal to remember our history. Last week, at Prime Minister’s questions, the Prime Minister said that “we…owe it to them and to the British people.”—[Official Report, 25 April 2018; Vol. 639, c. 881.]

The former Home Secretary said that the Windrush generation should be considered British and should be able to get their British citizenship if they so choose. This is the point the Government simply do not understand: the Windrush generation are the British people. They are British citizens. They came here as citizens. That is the precise reason why this is such an injustice. Their British citizenship is, and has always been, theirs by right. It is not something that the Government can now choose to grant them.

I remind the Government of chapter 56 of the British Nationality Act 1948, which says:

“Every person who under this Act is a citizen of the United Kingdom and Colonies…shall by virtue of that citizenship have the status of a British subject.”

The Bill uses “British nationality” by virtue of citizenship. I read that Bill again last week when looking over the case notes of my constituents caught up in the Windrush crisis. Patrick Henry is a British citizen who arrived in Britain in 1959. He is a teaching assistant. He told me, “I feel like a prisoner who has committed no crime,” because he is being denied citizenship. Clive Smith, a British citizen who arrived here in 1964, showed the Home Office his school reports and was still threatened with deportation.

Rosario Wilson is a British citizen with no right to be here because Saint Lucia became independent in 1979. Wilberforce Sullivan is a British citizen who paid taxes for 40 years. He was told in 2011 that he was no longer able to work. Dennis Laidley is a British citizen with tax records going back to the 1960s. He was denied a passport and was unable to visit his sick mother. Jeffrey Greaves, a British citizen who arrived here in 1964, was threatened with deportation by the Home Office. Cecile Laurencin, a British citizen with 44 years of national insurance contribution to this country, payslips and bank account details, had her application for naturalisation rejected. Huthley Sealey, a British citizen, is unable to claim benefits or access healthcare in this country.

Mark Balfourth, a British citizen who arrived here in 1962 aged 7, was refused access to benefits.

The Windrush generation have waited for too long for rights that are theirs. There comes a time when the cup of endurance runs over. There comes a time when the burden of living like a criminal in one’s own country becomes too heavy to bear any longer. That is why in the last few weeks we have seen an outpouring of pain and grief that had built up over many years. Yet Ministers have tried to conflate the issue with illegal immigration. On Thursday, the former Home Secretary said she was personally committed to tackling illegal migration, to making it difficult for illegal migrants to live here and to removing people who are here illegally.

Leo Docherty: Will the right hon. Gentleman give way?

Mr Lammy: I will not; I am just going to finish. Indeed, during her statement last Thursday, the former Home Secretary said “illegal” 23 times but did not even once say “citizen”.

This is not about illegal immigration. This is about British citizens, and frankly it is deeply offensive to conflate the Windrush generation with illegal immigrants to try to distract from the Windrush crisis. This is about a hostile environment policy that blurs the line between illegal immigrants and people who are here legally, and are even British citizens. This is about a hostile environment not just for illegal immigrants but for anybody who looks like they could be an immigrant. This is about a hostile environment that has turned employers, doctors, landlords and social workers into border guards.

The hostile environment is not about illegal immigration. Increasing leave to remain fees by 238% in four years is not about illegal immigration. The Home Office making profits of 800% on standard applications is not about illegal immigration. The Home Office sending back documents unrecorded by second-class post, so that passports, birth certificates and education certificates get lost, is not about illegal immigration. Charging teenagers £2,033 every 30 months for limited leave to remain is not about illegal immigration. Charging someone
that the Immigration Act 1971 provided that those who arrived before it came into force should be treated as having indefinite leave to remain, despite not having the specific documentation. Afterwards, of course, people required the document in the passport or whatever it was. It is now tolerably plain that attempts to clamp down on illegal immigration have had unintended and wholly unacceptable consequences. The system has failed. It has acted indiscriminately and in a way that causes us the shame that I mentioned.

We may be able to derive a small sense of solace. I have been encouraged, to some extent, in hearing the response of the Government. There has been no attempt to deny that what happened was wrong; no attempt to pretend that the system has worked as it should have; no attempt to deny the impact, which is profound; and a fairly, if I may put it like this, grovelling acknowledgement that the system has gone wrong.

We can take some small comfort, too, in seeing the speed and robustness of the response. That is quite right. The taskforce has been set up not to hinder applicants, but to help them to demonstrate that they are entitled to live in the UK. That is quite right. It has been tasked with resolving cases inside two weeks, because for individuals such as Elwaldo Romeo, who was referred to with great articulacy by my hon. Friend the Member for St Austell and Newquay (Steve Double), it must be a peculiar form of torture, almost, to feel that the Home Office could come knocking. These cases must be resolved quickly, because justice delayed is justice denied. No language tests—quite right. No cost—quite right. A helpline—quite right. Also and importantly, those who made their lives here but have retired to their country of origin must be able to come back to the UK. Fees must be waived. It is right that the Government are working with embassies and high commissions to make that the case.

What is the net effect of all this? It means that anyone from the Windrush generation who now wants to become a British citizen can. The net effect is that the burden of proof has, in effect, been shifted. Something adverted to by the right hon. Member for Tottenham was compensation. That scheme should be run by an independent person, and I understand that that is the Government’s intention. Yes, things have gone wrong, but it is absolutely right that the Government have acted decisively, without seeking to cavil, deny or shift the blame to anyone else.

Where I respectfully—with great and genuine respect—apply a slightly different context to the points that the right hon. Gentleman made is that I think we must, when speaking about the issue of illegal immigration, emphasise that there is a distinction and explain why there is that distinction. The reason we draw the distinction is that illegal immigration, as distinct from the immigration of those who came here in the Windrush generation and subsequently, encourages exploitation of the most vulnerable. It is a cruel and pernicious way to behave.

Illegal immigration is also unfair on those who play by the rules and do the right thing. They include, by the way, people from the Windrush generation, who, exactly as the right hon. Gentleman described with great articulacy, answered Britain’s call to come to our country to help work, support and build. They did the right thing. The truth is that some of the most vociferous critics of those who try to game the system—those who get round it
and try to bend the rules—are often those people who have played by the rules, come to this country and done the right thing. We must draw that distinction not just because it is right, but because it is fair to those who have played by the rules.

The other point is that we should not seek to infantilise people by suggesting that the rhetoric about being tough on illegal immigration is new. It is not. It is entirely appropriate that, in the past, Governments of all stripes have talked and acted tough. Let us take a moment to consider what has applied. In 1982, under a Conservative Government, the NHS began treatment charges for illegal immigrants. That has the advantage of common sense, one might think. Those people who have come here legally need to feel that they are getting a proper share of public services and that they are not being wrongly diverted.

In 1997, the Government instituted checks by employers on people’s right to work here. In 1999, measures were imposed on access to benefits. We were then under a Labour Government, of course. In 2008, civil penalties of up to £10,000 were imposed for those who employed illegal migrants. I do not criticise any of that, and to suggest that what has happened now has emerged from a clear blue sky is misleading and unfair to those who are in the eye of this storm.

Sir Peter Bottomley (Worthing West) (Con): I shall make this point now, because it is one that those listening to the debate will not necessarily know. When it comes to healthcare, emergency treatment is available to all, regardless of who they are; it is more routine and elective care for which there are, rightly, checks. I am not criticising my hon. Friend; I am just making sure that people understand that no one is denied emergency care in this country.

Alex Chalk: I am very grateful to my hon. Friend for clarifying that point; he is absolutely right to do so. The point I was making about the context is that measures have accrued over time. I am grateful to him for that point of detail.

I do not quote what I am about to in the interest of inflaming matters, because I do not think we should be in the business of inflaming matters; we should be in the business of cold, cool assessment. However, my hon. Friend the Member for North Dorset (Simon Hoare) was right when he quoted an Immigration Minister from 2007, who described his policy as flushing illegal migrants out and “trying to create a much more hostile environment in this country if you are here illegally.”

I do not think that, at the time, that was a particularly unreasonable thing to say. And it was John Reid, as Home Secretary, who said:

“We need to make living and working here illegally ever more uncomfortable and constrained.”

The reality is that Governments of all stripes have talked and acted tough.

All I really want to say is that this is a shameful episode. As has been indicated, it is a case of error, not conspiracy. It is incumbent on this Government, because they happen to be in office, to make things right, but we owe it to the people of this country, whether they are here from the Windrush generation or from elsewhere, to look at this coolly, frankly and, above all, fairly.

5.19 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): I would like to say to the people who came here, who are our teachers, our nurses, our cleaners, our carers, our bus drivers and our train drivers: thank you. London would not be the city it is today, and my part of London—the best part of London, which is south London—would not be what it is today, but for the Windrush generation.

My mum was of an earlier generation than the Windrush generation. She came here in 1947 to train as a nurse, and worked in mental health for the rest of her working life. Until I was four years old, I did not understand that there were any countries other than Ireland, England and those in the Caribbean, because all her friends in nursing were from Ireland or the Caribbean. They were the only people who wanted to work in the large psychiatric hospitals of the ’60s, ’70s and ’80s.

I am not here today to compete in any way with the amazing oratory of my right hon. Friend the Member for Tottenham (Mr Lammy), but to try to get justice for three of my constituents. I have been racking my brain since this issue came to the fore, thinking about how those people, who came to see me, could have been treated unjustly and about how they can now seek support.

I want to bring the case of Kenneth Ellis to the Minister’s attention. Ken came to the UK in 1962, aged 8, to join his parents, Herman and Ivy Ellis, both of whom were UK citizens. He still has his dad’s UK passport and birth certificate. He attended schools in Wandsworth. For a short period, sadly, he was in care under Wandsworth Council.

He first came to see me in 2013, and I tried to find out how I could help him to provide proof of his residency in the UK, backdated to 1962. That sounds an awful lot easier than it actually is. I contacted the Inland Revenue. It said that it had records, but it could not release them back to 1962 unless the Home Office asked for them. I contacted Wandsworth Council, but it informed me that it did not keep records of that age. I was told that if I could get the landing card from when he arrived, that could help. However, we now know that those landing cards were destroyed. As a result of the last five years of attempting to define his status in a country where he has lived for over 50 years, he has been unable to work, his relationship has broken down and he has lost his home.

I have known about Trevor only since 13 April. His mum and dad, Eastlyn and Grafton, came to London from Barbados in 1961. Eastlyn qualified as a nurse at St. Peter’s Hospital, Chertsey, in 1965. Trevor joined them in 1967, aged 8, arriving with his grandmother, Myrtle. In the last 50 years, Trevor has never left England—he may have never left Mitcham, for all I know.

Trevor worked for the Blue Arrow agency for years, taking time off only when Eastlyn became unwell and he wanted to care for her. As a result of an administrative error with the agency, he was sent his P45. On receipt of it, he could no longer work. Every employer he went to—even Blue Arrow, which he returned to—said that he did not have the paperwork to ensure that he could work, so nobody would take him on. As a result, he has been out of work for the last 18 months and reliant on his 83-year-old mother.
Neville's case is slightly different. He came to Britain in 1973, aged 17, to join his parents, Thomas and Deslin, both of whom were UK citizens—to prove this, I have their expired UK passports. Deslin's passport says, “I Kenneth Blackburne, Knight Commander of the Most Distinguished Order of St Michael and St George, Officer of the Most Excellent Order of the British Empire, Captain-General and Governor-in-Chief in and over the island of Jamaica and its dependencies, request and require in the name of Her Majesty all those whom it may concern to allow the bearer to pass freely without let or hindrance and to afford every assistance and protection of which she may stand in need. Given at King’s House in the island of Jamaica on the 19th day of April 1961.” Neville's father’s passport reads, “Given by Geoffrey Campbell Gunter, Commander of the Most Excellent Order of the British Empire. Issued at King’s House in the island of Jamaica, the 6th of July 1960.”

Despite that, Neville cannot define his immigration status. He has spent money. He has had pro bono support. He has been evicted from his home. He has not been allowed to claim benefits. I have chased the Home Office for the last six years to try to sort out his immigration status, and I am ashamed to say that, to date, I have failed. Neville now cares full time for his mother to enable his siblings to work, knowing that their mum is cared for. It is simply not right that Neville or his parents should have been treated in this way.

All we are asking for is justice, and the right for these three men to go out and work to support themselves in the way that their parents taught them.

5.26 pm

Simon Hoare (North Dorset) (Con): It is a pleasure to serve under your chairmanship, Mr Austin, and to follow the hon. Member for Mitcham and Morden (Siobhain McDonagh), who made an incredibly powerful and moving speech.

The right hon. Member for Tottenham (Mr Lammy) was absolutely right when he pointed out that we cannot forget history. We should not try to forget history, warts and all, the good and the bad. Any nation that tries to pretend that all its history is one or the other is a nation that is not at ease with itself and that is trying to fool its residents.

It is important for both the Labour party and the Conservative party to remember where quite a lot of this stuff came from. Looking back to the middle and the end of the Blair-Brown premiership and the early days of the coalition, both the main parties in this country had become terrified of either the British National party or the UK Independence party. We saw them nibbling away at our bases; we saw them pandering to prejudices, very often long held, but very rarely spoken of. We saw it in industrial areas; we saw it in all sorts of areas in this country.

I do not like using the phrase “dog-whistle politics”, because I always think it is a blunt instrument. To an extent, however, Governments of both persuasions—of both colours—were under the most enormous pressure to be tough, and sometimes we slightly lost our nerve. Principled mainstream politicians lost the resolve to kick back against that, to face it down and to say why that narrative was wrong. I am absolutely concerned that, as our concern grew, so did some of these policies, which were put in place by both Governments, and which, with hindsight, might have been phrased a little better and should have been thought of a little more deeply.

My hon. Friend the Member for Cheltenham (Alex Chalk) made an incredibly powerful speech, which was thoughtful and sensible—his hallmarks. He was right to draw our attention to some of those quotes from Labour Ministers involved with the Home Office or with immigration specifically. John Reid, now the noble Lord Reid, said as Home Secretary:

“We need to make living and working here illegally evermore uncomfortable and constrained.”

We also heard how the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), when immigration Minister, said:

“What we are proposing here will, I think, flush illegal migrants out. We are trying to create a much more hostile environment in this country if you are here illegally.”

I intervened on my hon. Friend the Member for St Austell and Newquay (Steve Double) to draw our attention back to the different definitions. My right hon. Friend the Prime Minister, my right hon. Friend the Immigration Minister, the former Home Secretary, the current Home Secretary, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper)—the Chairman of the Home Affairs Committee—who has joined us, and all of us should and must be at the most enormous pains to point out that division of public policy. All of us will have been annoyed and irritated over the years, when we have entered into debates with members of the public, who could be constituents of ours or not, in which asylum seekers, refugees, legal immigrants and illegal immigrants have all been put into one pot. Instead, we should look at the silos and the policies that flow from that.

My right hon. Friends who are involved in the Home Office, and who are at the head of Government, have made clear the Government’s shame at what has happened and have made clear their apology. I cannot think of a single colleague on the Conservative Benches who would demur from that position.

I happen to be one of those Conservatives who has been perfectly relaxed about immigration and the freedom of movement. As somebody who is a quarter Irish, a quarter Greek and half Welsh, and as somebody who was born and brought up in Cardiff, how could I not be relaxed about immigration? Cardiff’s marvellous docks were a huge melting pot for the world’s nations as they came to work in and grow our south Wales economy. They enriched south Wales not just financially, but culturally, and we owe them a huge debt of gratitude.

We have to be clear. We must not throw the baby out with the bath water by conflating, yet again, the clear legal definitions of legal and illegal migration. The Windrush generation are not becoming British citizens. As the right hon. Member for Tottenham has said, they are British citizens, and the law seeks to confirm those rights and privileges.

In central and local government, not just in the arena of public policy, but across the piece, we have moved too much towards the “computer says no” approach—to use the “Little Britain” phrase—where boxes are ticked
or they are not. In any future arrangement, we must ensure that officials and Ministers who are dealing with these often complex matters have the opportunity—the space, as it were—for more discretion and discernment in taking important decisions.

As the Member for North Dorset, and as someone who has never had their right to be in this country questioned, I am not sure that I can envisage how people’s lives must have been turned not just upside down, but inside out. Like one of those snow domes, their lives have been shaken, and the whole picture of their everyday lives has become so distorted that they cannot recognise it and they feel like aliens in their own country.

I take the point made by my hon. Friend the Member for Henley (John Howell) when he intervened on my hon. Friend the Member for St Austell and Newquay: people fall into saying it is either a cock-up or a conspiracy. I would be the first to stand up and say so if I believed something was a conspiracy, but I do not. I think it was genuinely an oversight. “Oversight” may be a trivial word to use, as it in no way encompasses the emotional gamut of how people have had to respond to these issues, but I take enormous comfort from the fact that we as a Government are seeking to put these things right.

As the right hon. Member for Tottenham reminded us, and as I pointed out in my opening remarks, we should not forget history, and nor should we seek to rewrite the welcome, or sometimes the lack of it, that the first Windrush generation received. On the posters in the bed and breakfasts in Kensington, Notting Hill and Portobello Road that said, “No Irish, no dogs, no blacks”, the blacks were always at the bottom of the list—dogs were preferred to black people. Other issues included the colour bar and access to housing—the Rachmanisation of the London housing stock.

We should not delude ourselves. These people answered the clarion call of the—I use the phrase of the right hon. Member for Tottenham—mother country. Just as they had answered in time of war, so they answered in time of peace. The battlefields of the first and second world wars were indelibly stained not only with the blood of white Anglo-Saxons, but with the blood of empire—of people who realised that the values that we were trying to defend and that attempt to deter and defeat the foe were right. It was right for them to come to fight alongside us. I am never quite certain that that debt has ever been truly recognised.

As we all know, the 1968 speech cast a long shadow over the immigration debate. People would often veer away from discussing immigration for fear of being accused of having racial or racist tendencies. We have moved on from that, but, by golly, when such events come about, we have to pause to remind ourselves, and to reinforce the fact, that the debate is not anchored by racial prejudice or a racial agenda in any way.

I do not like the phrase “Illegals will be flushed out”, but I fully support, as I believe do the vast majority of people who are here legally, irrespective of colour, the need to be firm and resolute in our approach to migration to this country, for the reasons that my hon. Friend the Member for Cheltenham alluded to. We need to ensure that those who are here legally are given the warm embrace of a friend and neighbour, through which we entirely recognise and quantify the contribution that they make to our society, not just economically, but socially, culturally and from a community base.

My right hon. Friend the Minister is all too aware of the scale of the task and the speed with which it needs to be completed, as is my right hon. Friend the Home Secretary, whom I welcome to his new position. Nobody should be under any illusion as to the seriousness and determination of Her Majesty’s Government, not just to resolve the problem properly, promptly and speedily, but to ensure that the “computer says no” response, and this sort of problem, do not arise again.

5.38 pm

Lyn Brown (West Ham) (Lab): It is a pleasure to serve under your chairmanship, Mr Austin. I thank Patrick Vernon OBE for launching the petition and creating the space we urgently needed to discuss these awful and totally avoidable events. I also pay tribute to the Windrush generation to the Prime Minister’s policies have betrayed a generation of their friends, neighbours and families.
I do not know how many of my constituents have been caught up in the Home Office’s “hostile” immigration strategy, because many people have not made their way to my door yet. However, I urge them to do so, so that I can help them sort this situation out.

One man, who I will call Gem, contacted me early last year. Gem travelled from Jamaica in 1969 and has lived here legally ever since. However, in August last year his housing benefit suddenly stopped, on the basis that he “had no recourse to public funds.”

That was certainly news to him.

Gem has not kept hold of every official document that has come through his door for the last several decades, so when the Home Office demanded evidence for every single year that he had lived here he was understandably devastated and overwhelmed. I do not think many of us could produce that much evidence on demand; I certainly could not.

Gem was told that he would have to secure a new passport from Jamaica, at great expense and at a time when he was unable to work. The £2,500 fee for naturalisation was well out of the question. She grew up in this country, and she has worked and paid taxes here for the last 39 years. Last month, Gem travelled from Jamaica in 1969 and has lived here legally ever since. However, in August last year his housing benefit suddenly stopped, on the basis that he has to report regularly to the immigration centre, as if he was a criminal. A few days ago, Gem’s daughter called the new hotline, but she is still waiting to be called back. I have contacted the Immigration Minister on Gem’s behalf and I will be happy to give her his details after this debate.

Gem is not the only constituent of mine who has been harmed by this “hostile” environment. Jessica travelled to Britain in 1970 from Dominica. She is 58 now but remembers an immigration officer stamping her passport with the words, “Indefinite right to remain”. “I have always been a positive person, but this is a terrible situation.”

I do not think that anybody could have failed to notice the oft-repeated use by the former Home Secretary, the right hon. Member for Hastings and Rye (Amber Rudd), of the phrase “compliant environment” last week. However, as my hon. Friend the Member for Garston and Halewood (Maria Eagle) said:

“Whether it’s compliance or hostility, it’s still a policy which has led to this debacle”. —[Official Report, 23 April 2018; Vol. 639, c. 633.] Gem and Jessica will receive absolutely no comfort if I tell them that, although they have lost nearly everything, the Government did not mean to be “hostile”. That is cold comfort, because let us be in no doubt that this scandal is leaving a legacy of fear and anxiety among the communities and individuals that it has betrayed.

Nevertheless, I welcome the Government’s pledges to waive fees for members of the Windrush generation as they apply for documents and rightful naturalisation, and to scrap the requirement for a citizenship test, as well as the free services that they have created for the victims. Those were absolutely the right things to do, but the problem stems from the policy itself. The “hostile environment” has been hardened over time, in the service of an arbitrary target. That is hardly the way to encourage careful evaluation of an individual’s rights.

The canned response that we keep hearing from the Government is that the Windrush generation are different, or an exception. We know the phrase, “the exception proves the rule”, and there are already new cases coming to light of British citizens from other backgrounds who have been caught up by this Government’s approach. So how many exceptions will it take before the rule is changed? Will cases that do not appear to be Windrush related need to make their own headlines before they are recognised? If so, that is not only nonsensical, but cruel.

The right to appeal through an immigration tribunal was scrapped, for most cases, by 2014. When, on top of that, there is no longer recourse to legal aid, the inevitable wrong decisions are so much harder to challenge. I hope that the new Home Secretary will fix this matter urgently, although I do not hold my breath.

“Regret”, no matter how bitter or heartfelt, cannot take the place of a substantial policy change. It is not good enough to redress the consequences each time after the fact. Policy change is the only way to prevent this situation from happening again, but even that will not undo the damage that has already been done; that pain will never go away. The petition that we are considering rightly calls on the Government to take into account “loss & hurt”. The “loss” of a job, of benefits, of medical treatment, of pensions, or of citizenship can be measured.

Emma Reynolds: Does my hon. Friend hope, as I do, that the compensation scheme will be put in place sooner rather than later, because some people have been detained, some have been deprived of healthcare and some have been deprived of benefits, and they have also all gone through terrible anguish during the time that this scandal has been going on?

Lyn Brown: My hon. Friend is, of course, obviously right, because we can—possibly—put a financial value on the financial “loss” incurred by loss of jobs, benefits and so on, but the “hurt”—that is, the loss of faith and the impact of the deep betrayal—is much more complex and much more difficult to assess in monetary terms, so I ask the Minister to ensure that whoever is appointed to run the compensation scheme is encouraged to think long and hard about the lifetime impact of these losses.

The Windrush generation undoubtedly made a huge contribution to rebuilding our country; many of them also fought in the war. They came at the Government’s invitation, stayed at the Government’s invitation and worked year after year after year, because they were needed, so there is a real stench of betrayal about these recent events.

I am lucky—so lucky—that I have an amazing family. I have not only Cecil and Lucy, who have done so much for this country, but their children, including my brother-in-law, Colin, who I love to bits, and his daughter, my niece Aimee, who I love more than life itself.
My family have been lucky not to fall victim to the changed immigration laws, but, make no mistake, we are very angry. We are furious. We need more from the Government. We need mistakes to be rectified quickly, with generous compensation, and we need less dangerous policies coming from the Government. It is now time for the Prime Minister, as the architect of the hostile environment policy, to take responsibility, because it is her policy and her watch, and it is for her to be held to account.

5.50 pm
Leo Docherty (Aldershot) (Con): I am grateful to serve under your chairmanship, Mr Austin. I am pleased to be able to speak in this important debate.

I will speak relatively briefly, but first I want to declare that I entirely support the sentiment of the petition. My constituency has a significant population with a Commonwealth background across Aldershot and Farnborough, which are in the borough of Rushmoor: people who have built their lives in the borough and who contribute a great deal at every professional level. I am very pleased to put on record my appreciation of the contribution that that population makes. Aldershot, as a borough, shares an even longer history with our Commonwealth, going back to the late 19th century, when a great number of imperial troops were stationed in its garrisons. The contribution of our Commonwealth population has, as has been said, a long historical precedent. Today, members of our community with mainly Indian and Pakistani heritage live with a significant Nepalese community, and that is something of which I am extremely proud.

We have heard some eloquent and moving speeches, but rather than talking about the rhetoric surrounding the issue, I will touch briefly on the action that the Government have taken in the past few days and weeks. I am grateful that the Minister is here: I am sure she will offer further reassurance about the series of actions the Government have taken so far. It is important that the Government have waived the fee for anyone who wishes to apply for citizenship—for those who do not have any documentation and those who do. The waiving of the requirement to do the knowledge of language test is important, as is the fact that the children of the Windrush generation will be able to apply to naturalise at no cost. It is also important that those who have lived here for a long time and have then returned to their country of origin are able to come back, and that the associated fees will be waived.

I am encouraged that we have a dedicated team helping to identify and gather evidence to confirm the existence of individuals’ rights to be in the UK, and I would be grateful for any updates that the Minister might provide on that taskforce’s latest actions. I understand that, as of last week, 23 people had already obtained the documentation they needed, with nearly 100 appointments booked to help more people. I am encouraged by that, but any further update from the Minister would be much appreciated.

I am pleased, too, that no one affected will be charged for any documentation that proves their right to be here, and that anyone who wishes to obtain a formal residence card can do so free of cost. Given the emotions around the subject, which we have been described eloquently today, I am reassured that there will be no removal or detention as part of any assistance to help those citizens get their proper documentation. It is important that we put that on record and that it is clearly understood. I am also reassured by the fact that a new website will provide information and guidance for people who need support, and will give examples of the type of evidence required for the formal process.

In addition to that series of actions, it is important that the Government now get the tone right. That is why, earlier today in the Chamber, I was encouraged by hearing the new Home Secretary clearly outline that the matter is of the highest importance. He did so in personal terms, saying that “it could have been my mother, my brother or me.” The new Home Secretary gets this. He gets the emotional importance of the matter and the sense of justice that people associated with the Windrush generation want to see fulfilled. He also said, “I will do whatever it takes to get this right...we will do right by the Windrush generation.” He then went on to say, “Like her, I am a second-generation migrant”. He was referring to the shadow Home Secretary, the right hon. Member for Hackney North and Stoke Newington (Ms Abbott), and to the fact that she “does not have a monopoly” on anger. That is very true, and the only response from the Government now, while there is justifiable anger, needs to be one of calm, compassionate efficiency. I am reassured that the Government will resolve the episode in a serious and determined manner, but also in an empathetic and gracious one.

5.56 pm
Deidre Brock (Edinburgh North and Leith) (SNP): It is a pleasure to serve under your chairship, Mr Austin.

In many ways, our debates over the Windrushers have been too small, too fixated on destroyed immigration documents or on who knew what when. Like those of EU citizens, the interests of the Windrush citizens have not been given the attention they should have been afforded; they have been afterthoughts as far as too many UK politicians are concerned. The political game has seemed more important than the people whose lives are affected, and the point scoring more important than sorting the matter out.

[MR LAURENCE ROBERTSON in the Chair]

The debates are too small in another way, too. They are about a group of cases regarding the symptoms of a policy malfunction, not about the policy malfunction itself. It is not, as was suggested earlier, simply a structural problem in the Home Office. The anti-immigration rhetoric of successive UK Governments has created an environment of xenophobic mistrust, hate and fear. The “go home” vans that the Prime Minister created in her previous post of Home Secretary were a development from Gordon Brown’s “British jobs for British workers”.

We know, too, that the Government of Clement Attlee was not the benign, welcoming and inclusive regime it is sometimes painted as. We know that the Ministers in that Government wanted immigration to be a temporary phenomenon. I am afraid I cannot agree with the hon. Member for North Dorset (Simon Hoare) on that, although I welcome many of his very measured remarks on the topic.

Racism runs deep in the political psyche here. A bias is embedded in the minds of many politicians that will not easily be dislodged. Windrush is not some
isolated case, and it is not an aberration or a deviation from the norm. It fits right into the institutional racism of this place. From the attempts of Attlee’s Ministers to turn the ship away to the Immigration Act 1971, and on to the vicious, hostile environment of the current Government, there is a thread of hate linking the attitudes of the generations. Those attitudes have driven public perceptions too, in the casual racism we all too often see. The right hon. Member for Hackney North and Stoke Newington (Ms Abbott) can testify to that, I believe, with the appalling flood of bile that is directed at her.

Even with that evidence so easily available to us, all the attitudes persist here, and that has driven the debate on a number of issues, not least of which has been the debate on our relationship with the EU. For all that nonsense about that bus with the promise to pay the NHS millions every week, the main driver of the leave debate was racist. It was an argument of exceptionalism—an opinion that we are somehow better than everyone else. It has continued into the aftermath too, with the Government’s disregard for the worries of EU citizens concerned for their future here. Treated as pawns, they have been left with no certainty about their position post-Brexit. People who have contributed to our communities, paid their taxes, made society better, and built lives and futures here have been dispossessed by a Government who seem determined to fight Agincourt again.

Three million people who—like the Windrush generation—live, work, study, pay taxes and contribute to society here have had their lives thrown into question. EU citizens have been packing up and leaving ahead of Brexit: shutting down businesses, resigning from the NHS and leaving their research labs and universities. That damages Scotland. We need the people who will help run our services, build businesses, support our NHS and leaving their research labs and universities. Their research labs and universities. People who come to share Scotland are as welcome as they are necessary, and we need them.

The Government’s attitude is disgraceful. They have targets for deporting immigrants. Imagine that: those are not targets as in, “This person or those people should not be allowed to stay”, but targets as in, “8,337 a year”. What could possibly be the driver of that, other than racism, a sense of exceptionalism and an attitude that we are somehow better than others?

**Simon Hoare:** I fear that the hon. Lady is falling into the trap I alluded to in my speech of conflating “legal” and “illegal”. I think most people in this country, including legal migrants, would say that any Government has a duty and responsibility to ensure that everybody who is here is here legally. If that means setting targets to remove people who should not be here: most people support that, irrespective of their national heritage.

**Deidre Brock:** I am afraid I cannot agree with the hon. Gentleman on that point. Right hon. and hon. Members have made comments about Gypsy Travellers in debates here that have caused my mouth literally to drop open in astonishment and horror. There has been case after case in my constituency office of the most appalling treatment of EU and non-EU nationals alike by UK Visas and Immigration and the Home Office. My contention is that those attitudes come from successive UK Governments’ attitudes towards the issue of immigration as a whole.

Successive UK Governments have created an atmosphere of mistrust and fear, and they are proud of it—the Prime Minister even praises the “hostile environment”. They thought that they had tapped into a source of votes by painting immigrants as some kind of threat to an imaginary British way of life. Now Windrush is blowing up the dust of the UK’s imperial past. People who came to these islands as British citizens are being deported. People who came here half a century ago are being told to go home. The vans may be gone, but the attitude has not. They are being told to go back to countries they would not recognise now. Their children and grandchildren are also targeted—people who were born in the UK and have never lived anywhere else. Some have already been deported, some have declared themselves stateless to avoid deportation and many more are living in fear that their lives are about to be utterly broken. These people came here when there were labour shortages. They worked, paid their taxes and built lives and communities. They had children who worked, paid their taxes and built on that legacy. They have grandchildren who are doing the same.

The UK is unlikely to change any time soon, but Scotland needs immigrants—we need population growth, and we need the energy and the impetus that comes with them. Our country is damaged by the right-wing xenophobia of deportation, document checks and fear-mongering. EU citizens and Windrush people should not be discouraged or deterred; they should be welcomed and encouraged. This debate is less than it should be—it should be an in-depth and unflinching analysis of the continuing racism of the body politic here. That is our shame and our disgrace, and we should not be content to hand it on to future generations.

6.4 pm

**Sir Peter Bottomley** (Worthing West) (Con): I am sorry I was not here for the beginning of the debate. I was taking part in questions in the Chamber, where a statement had been asked for. May I say to my brother, the right hon. Member for Tottenham (Mr Lammy), that I was honoured to be at his wedding? I have to declare that I stand as godfather to the aunt of his children. I am also proud to have known Sam King. Along with Arthur Torrington, he got the Windrush Foundation and the Equiano Society going 21 years ago. I may be fortunate that the people I know whom I would regard as being of the Windrush generation—I use that as a way of embracing a large number of people—have been bishops in my church and headteachers in my schools, and have held every kind of job across the spectrum of our society.

What we have found in this debate is too many people saying, “The other side did not get things right.” What we have lost is a sense of what each of us can do to try to ensure that we do get it right. Some of the lessons I have learned have come from a book by Will Somerville called “Immigration under New Labour”, published by Policy Press at the University of Bristol. It covers 1997 to 2007, so it is not the full period, but in chapters 16, 17 and 18 there is quite a lot of talk about targets. In the days when I served as a junior Minister and my wife...
served as a more senior Minister, people laughed at us because we would have between three and 11 boxes over a weekend. Various people said, “Why do you read what is put in front of you?” The answer is that we can find that voice among the public officials or the outsiders who say, “Please look at this. It is not sensible. It is not right.”

I was going to appear on “Newsnight” a few days ago, but I got bounced because the subject of the Windrush generation was seen as less important than the future retirement of the manager of Arsenal football club. To some people that may be the right sense of priorities, but it cost me an opportunity to talk about the many people affected by the way the system has worked—albeit for a minority, but that minority matters just as much as the majority. As most people now say, we should not be saying to people who have lived here at peace, paid taxes, registered to vote and contributed as British nationals, “You have to prove what you were doing for elements of your life for each year for the past 40 years.” I could not do that; why should they have to do it?

The presumption ought to be that if someone has obviously lived here for long enough to qualify as a recognised British national—as a subject, a citizen—they should not have to go find all these documents. We should say, “This person has been on the electoral register for the past 15 years. It is clear that they came out of a school. Here they are in a confirmation class. Here they are in Guides or Scouts. Here they are at a college or university, or in a recognised training situation, or even just as a taxpayer.”

The Inland Revenue knows who has been paying taxes. The Department for Work and Pensions knows who has been paying national insurance. If, on the face of it, that shows they have absolutely no chance of being an illegal immigrant who has come in during the past two or three years, they should be granted British citizenship formally, recognising what is formally right anyway.

I do not want to criticise the media, because we rely on them, but what on earth was that nonsense about the landing cards? British subjects did not complete landing cards. They did not do it. The fact that the landing cards were or might have been destroyed is irrelevant. That should have been obvious to anyone doing work experience at a newspaper, let alone someone working in one of our great news organisations, the Press Association or the BBC.

Emma Reynolds rose—

Siobhain McDonagh rose—

Sir Peter Bottomley: The hon. Ladies can sort out between themselves who I am giving way to.

Emma Reynolds: The hon. Gentleman says the landing cards are irrelevant, but my constituent Paulette Wilson was sent a letter from the Home Office out of the blue in 2015. It told her that there was no evidence of her entry to the UK, despite the fact that it had destroyed that evidence.

Sir Peter Bottomley: I give way again.

Siobhain McDonagh: In the cases of Trevor, Ken and Neville, if they had had those landing cards, that would have been proof of their entry.

Sir Peter Bottomley: First, I do not know when landing cards came in. If someone arrived on the Empire Windrush in 1948 or on a ship in the next 15 or 20 years, I do not think there were landing cards. Secondly, if they were British, would they have been asked to fill in a landing card, even if they had arrived by air? I think the answer is no.

I campaigned for Krishna Maharaj, who spent 31 years wrongly imprisoned in Florida. He is British. He was born in Trinidad, but being born in Trinidad made him British, and British people do not fill in landing cards. We allow distractions to take away from the common-sense point: what on earth are we doing thinking that the landing cards would solve the problem? Even the manifest do not solve the nationality problem. When people came here, especially from the Caribbean, after the war, they were British until our laws started to change. But we are not talking about that generation; we are talking about the generation of the Sam Kings, the Arthur Longtons and the like, who also wrote about the contribution that the people from the Caribbean made before 1948 as well as during 1948 and afterwards.

For those who want to know where targets came from, they were not new in 2010 or in 2015. They are discussed in the Will Somerville book, “Immigration under New Labour”, and I have no doubt they were probably there before new Labour as well. What we should say to those who are undocumented British nationals, subjects, citizens, is, “How soon and how easily can we give you the documents you need?” We are not talking about someone who says they are 17 when they are actually 23 and have sadly had to come across the Mediterranean from Syria or from another country in the past two or three years. We are talking about people who, just by looking at them, I can tell have been around for almost as long as I have, or as long as my children have, which is still quite some time. We should say, “Let’s get you documented in the easiest, fastest, simplest and fairest way possible.”

Those advising Ministers, whether inside a Department or outside, should always say to a Minister, “Is this fair? Is it right? Will it work?” I look to this man here, my brother, the right hon. Member for Tottenham. If we sat together for three quarters of an hour I could probably solve much of this and take away the anxiety. We could apologise for the distress that has been wrongly caused to too many for too long, but the fact is common sense normally works. Let us apply it.

6.11 pm

Emma Reynolds (Wolverhampton North East) (Lab): I want to thank Patrick Vernon, originally from Wolverhampton—all the best people are—for setting up the petition, and I want to say a huge thank you to the 178,000 people who signed it. I thank my right hon. Friend the Member for Tottenham (Mr Lammy) for his powerful advocacy and his incredible work and determination to seek justice for the Windrush generation.

Finally, I want to add my thanks to those of my colleagues to thank all those British people of the Windrush generation—whether they have the documents to say that they are British or not, they are British—for
coming here in the post-war period and helping to rebuild Britain. My right hon. Friend was right to say that the way they have been treated is a national disgrace.

I want to talk specifically about my constituent, Paulette Wilson, one of the Windrush generation who has been treated by the Government in the most appalling and inhumane manner. We know that the Home Secretary resigned last night, but in my view that is not the end of the matter. The Government still have serious questions to answer about the way Paulette and others have been treated. Also, they have questions to answer about how we avoid that happening in future to the Windrush generation and other Commonwealth citizens, but also to EU citizens way into the future.

I still think that the Prime Minister has serious questions to answer about a raft of policies that she introduced as Home Secretary to create a hostile environment and to create the conditions for this awful scandal. Not only do we have to deal with tackling the injustice of the way the Windrush generation has been treated, but we have to look at the policies, too, and the Government need to change some of them.

My constituent, Paulette Wilson, came to the UK from Jamaica in 1968 at the age of 10. She has worked in the UK all her life and has never left the country. She even worked here in Parliament, serving and waiting on MPs in Commons restaurants. She received a letter from the Home Office out of the blue in August 2015. To her dismay, it accused her of having no evidence of being here legally and having no evidence of her entry to the UK. She started having to report to the immigration centre in Solihull. Two years later, despite the fact that she had gathered substantial evidence of her 50 years in the UK, including 34 years of paying national insurance and the fact that she has a grown-up daughter and a granddaughter, she was detained during one of her visits to the immigration centre.

Paulette spent a week in Yarl’s Wood, fearful of what was going to happen next. She became even more scared when she was taken to the detention centre at Heathrow. Let us imagine for a minute what it was like scared when she was taken to the detention centre at Heathrow. Let us imagine for a minute what it was like to hear planes taking off and she really felt, and you are, British. You have not left the UK, including 34 years of paying national insurance contributions, but disbelieve individuals when they produce that evidence—I do not know why the Government cannot look for it themselves. It is a terrible irony that the departing Home Secretary is talking about the matter. The Government still have serious questions to answer about the way Paulette and others have been treated.

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Paulette could hear planes taking off and she really thought she was going to be put on a plane. I intervened and so did the Refugee and Migrant Centre in Wolverhampton. Her family—reluctantly, because they are a private family—contacted the media. Paulette was released at the eleventh hour. I want to thank the Refugee and Migrant Centre and the journalist Amelia Gentleman for helping Paulette and her family. But that experience has stayed with Paulette. In the weeks after she was detained, she talked about struggling to eat and sleep. Despite repeated demands for an explanation, we still do not know why she was sent to the detention centre and detained at Yarl’s Wood.

I have some questions for the Immigration Minister. She might not be able to answer them today, but I would like some clarification. Why were we never given an explanation as to why Paulette was detained? Why did the Home Office not consider 34 years of national insurance contributions? Why did it not check with the Department for Work and Pensions? The family provided other evidence of Paulette’s decades of work in the UK. Why was that disregarded and disbelieved?

The Prime Minister was in Wolverhampton last week and apologised to Paulette through the *Express & Star*, which is welcome, but why has the Prime Minister, or any other Minister, not apologised to Paulette directly? More broadly, why did it take an initial refusal by Downing Street to meet the Commonwealth Heads of State, the action of my right hon. Friend the Member for Tottenham and the many articles written by Amelia Gentleman for this national scandal to come to light? I have known about this matter for months; other Members have known about it for years. I do not understand why it took so long for us to realise that there was a severe and cruel injustice being meted out by the Government.

In January, I asked the Government a written parliamentary question on how many Commonwealth citizens legally resident in the UK had been detained and deported, and would the Government apologise in those cases? The Immigration Minister, who is here today, which I welcome, said it would be too costly to give the numbers. However, the Government have since committed to doing that, so when can we expect to have those numbers? Will the Minister and the new Home Secretary undertake to write to those who have been mistreated to give them an apology? When can we expect the compensation scheme to be in place? Will the Government consider putting in place legal aid for those willing to come forward?

I have been troubled by a briefing I received—other Members will have had the same briefing—from the Joint Council for the Welfare of Immigrants. The departing Home Secretary said in the House recently that she could guarantee there would be no future enforcement action against the Windrush generation if they made themselves known to the new taskforce. However, according to the briefing document that I have, the head of the taskforce told the Joint Council for the Welfare of Immigrants that referrals to immigration enforcement would be made case by case. Will the Minister clarify that, because it is still not clear what the Government expect in terms of documentation from people of that generation who come forward? We cannot blame them for being fearful of coming forward, given what has happened to my constituent and many others.

The focus of the past few days, and particularly yesterday evening, was what the departing Home Secretary knew about local or regional targets, and whether she—unknowingly or not—misled Parliament. She said that she did not knowingly mislead Parliament, but in a way, that is now an irrelevance. I want to know why there are regional targets for removal. Why are the Government treating people as numbers, not human beings? What will be done about the targets? Are the Government going to get rid of them?

It is a terrible irony that the Government destroy landing cards and then accuse my constituent and others of not having evidence of their entry to the UK. It is a terrible irony that the Government collect taxes and national insurance contributions, but disbelieve individuals when they produce that evidence—I do not know why the Government cannot look for it themselves. It is a terrible irony that the departing Home Secretary is
apparently not on top of her paperwork, but the Government accuse my constituent and others of not having their paperwork in order to prove their status.

The Home Office seems systematically to distrust and disbelieve people, and now it is asking the Windrush generation, who perhaps do not have the paperwork they need, to trust that the Government will believe them. It is not a surprise that that generation still feel betrayed, and still feel distrustful of the Government.

The Government need to get a grip on the situation very quickly. They still need to explain what went wrong and why it took so long for the scandal to come to light. I would like personal apologies to everybody who has been mistreated, including my constituent, and the compensation scheme needs to be dealt with properly and urgently. On top of all that, the Government need to look at their policy. They need to get rid of the removal targets and start treating people as human beings, not numbers.

6.22 pm

Catherine West (Hornsey and Wood Green) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. I, too, thank the campaigner Patrick Vernon for pulling together and launching the petition, and my right hon. Friends the Members for Tottenham and Stoke Newington (Ms Abbott) for their work in Parliament challenging the Government’s handling of the Windrush scandal. They speak with great power and authenticity. I also want to put on record how proud I am that my constituency has paid for this with her political career, and the trail she has blazed.

I am grateful, and would thank the Gods…that I have finally mastered this art of forgetting—of murdering the memory.”

He is probably talking about slavery and a number of other things there, but it is very relevant to today’s debate. I challenge us, as a Parliament, not to murder the memory of the Commonwealth and, in particular, of the Windrush generation.

I have permission to mention a couple of constituency cases. One of my constituents came to the United Kingdom with her parents in 1964 when she was a year old. Her representatives were eventually able to use medical records to persuade the Home Office that she had been here continuously since before 1 January 1973 and was settled at that time, and therefore has indefinite leave to remain. The Passport Office, however, has not accepted that in relation to her grandchild, and is refusing to issue the grandchild a passport. That is because, according to the Passport Office, the grandchild’s mother, who has lived in the United Kingdom continually since her birth in the 1980s, is not a British citizen.

The Passport Office refuses to accept that the grandmother had indefinite leave to remain when her daughter was born. Therefore, she is not a British citizen and neither is her daughter. The Passport Office is now also contemplating withdrawing my constituent’s British passport. I would be grateful if the Minister responded—perhaps not today, but in writing if I raise the case with her—specifically about the grandchildren.

As a Commonwealth citizen, I recall that in the old days my grandmother always referred to the UK as “the mother country”, and we used to travel on our parents’ passports. It is therefore easy to see how such confusions arose. I think we are all saying in today’s debate that we need to give people the benefit of the doubt, and the wonderful story from my hon. Friend the Member for Wolverhampton North East (Emma Reynolds) is so moving, in all its complexity.

Even though the debate is not strictly about other Commonwealth citizens, will the Minister touch on those from Cyprus and other areas? Due to the publicity, many other people are starting to ask questions. For example, I met a woman well into her 70s who came to the UK from Cyprus, who is now having to do a citizenship quiz. She has worked as a seamstress in north London for years and years. Given that her daughter represents us on the London borough of Haringey, it seems almost an insult to ask her to do a citizenship quiz at her advanced age.

I hope that this can bring more transparency not just to the way that some people are dealt with, but to others who are affected. On Friday, I had another woman come to see me in tears. Her job in another local authority has been outsourced to a large company that has asked her to do a biometric test at the Home Office. She did it, and she does not qualify for thresholds she cannot cross. Yet she showed me the stamp in her passport—she has been in the UK since 1970, with indefinite leave to remain.

Given all the expense that the citizenship process entails, why would that woman think to claim citizenship? I think what upset her was not so much the paperwork—slowly we can resolve those issues with the excellent caseworkers that so many MPs have, myself included—but the fact that for all these years she had felt part of the furniture and part of us, yet now she feels she is other, outside or different, and has a strong sense of not belonging.

We had a hug, and I hope that we can sort this out, but I am not sure that MPs can just provide tea and sympathy. It comes down to a policy response that needs to be more transparent, with equality at its heart. There are not enough MPs, hugs and cups of tea to go around. We need equality and genuine transparency in our system.

I welcome the fact that the outgoing Home Secretary has paid for this with her political career, and the trail probably leads higher than her. Once again, we will not give up. We must continue to ask questions, and we have the wonderful example of my right hon. Friend the Member for Tottenham and others, who have continued to hammer away at this question and to keep alive the flame of equality and not murdering our history. As the hon. Member for Aldershot (Leo Docherty) noted, the new Home Secretary has said “that could be my mum…my dad…my uncle…it could be me.”

I hope—I always try to end my speeches with a sense of hope—that with the new Home Secretary, given his personal experience, we can continue to work together to solve this and to have a genuinely equal society, where we are all the same under this sky.

6.28 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to serve under your chairmanship, Mr Robertson. I, too, thank
Quite rightly, there is a widespread public outcry, as the hon. Member for West Ham (Lyn Brown) described. Parliament is rightly angry, and hon. Members have asked a number of important questions. Given that confidence in the Home Office has been utterly shattered, surely the Government must now provide legal aid for those who believe they may be required to contact the Home Office helpline. Otherwise, many will simply not do so.

Will the Minister discuss with the Ministry of Justice the absolute necessity of providing legal aid? Will she assure us that no one from the Windrush generation is in detention or being asked to report? As the hon. Member for Wolverhampton North East (Emma Reynolds) asked, will she make it absolutely clear that information from the hotline will not be passed on and used in enforcement action? How broad is the Home Office search for others who have been wrongly detained and removed or not allowed re-entry? What standard of proof does the Home Office require for citizenship or settled status here? What rights will there be to challenge negative Home Office decisions, and what will the compensation scheme look like? Can we have an absolute assurance that Home Office staff are not under pressure to remove or deport individuals, and that there is not a target that incentivises them to ignore or not explore the possible right to be in this country? All those questions require an answer.

A number of hon. Members have rightly said that we have to see this scandal in a broader context, because it is just the tip of the iceberg. The Windrush children are just one of several groups of utterly innocent people who have been treated almost as if they are expendable, while the Prime Minister relentlessly pursues her now widely ridiculed and utterly bogus net migration target. Her policies mean that tens of thousands of children across the UK have been separated from a parent living abroad. Even more couples are kept apart by some of the most draconian, restrictive family migration rules in the world.

The checks that the Prime Minister imposed on landlords in England have pushed landlords and landladies into the role of immigration officers, with the result that the fear of getting it wrong has driven discrimination against prospective tenants who look foreign or have a foreign-sounding name. Despite the fact that the Home Office has been regularly criticised for poor decision making, the Prime Minister has removed in-country rights of residence, and it cannot be said that the Home Office has been any better. To try somehow to overturn those decisions from abroad. Thousands of innocent students have been arrested and deported, without even getting to see the evidence that the Home Office used to decide their guilt, never mind the fact that they are not complex enough to justify legal aid in England and Wales. Fees for citizenship and passport applications have soared. The list of injustices goes on and on.

Two weeks ago, the then Home Secretary said she was concerned that the Home Office has become too concerned with policy and strategy and sometimes loses sight of the individual. She is right, but that is the fault of Ministers, including the Prime Minister, who have
created policies and strategies that forget the individuals and families whose lives are being destroyed. It is the “computer says no” approach, as the hon. Member for North Dorset (Simon Hoare) aptly described.

All the while, there is not a shred of evidence that any of this has achieved anything other than division and messed-up lives. Since the Immigration Act 2014 came into force, voluntary returns have actually gone down. Evidence that the Home Affairs Committee received suggests that the hostile environment sometimes actually makes it harder, rather than easier, to enforce immigration rules, because it drives folk into the black private rented market and the black employment market.

There has been some talk today about illegal migrants, as if they are one body of very wicked and evil people whose removal we should celebrate, but they include husbands and wives unable to secure status because of the very strict immigration rules that I described. We heard today that the Home Office is trying to remove somebody who served in Afghanistan—an Afghan national who worked alongside our forces in that country. He is an illegal migrant, too. There are lots of people who came here as children who did not understand that they needed to regularise their status here, and could not even afford to do so. I will come back to that point in a moment.

Before we can go around talking about a hostile environment, we need a system that gets decisions right, that commands public confidence, that has appropriate oversight and systems of appeal, and that has a clear and simple way to determine who is here lawfully and who is not. None of that remotely exists at the moment, so the hostile environment must be reined in urgently. It is essential that MPs from across the House start standing up to the hostile environment and finally put the notorious net migration target out of its miserable existence.

The hon. Member for Worthing West (Sir Peter Bottomley) rightly asked what can be done. An early test for Parliament will be the Data Protection Bill and the Home Office’s attempt to help itself to a massive immigration exemption. There is absolutely no doubt that stripping people of their right to know what data the Home Office has about them, and to challenge inaccuracies, will create further burning injustices. As the hon. Member for Waveney (Peter Aldous) pointed out, we need to prevent a repeat of the Windrush fiasco.

What work has been done to identify other groups—Commonwealth citizens or otherwise—who may be at risk? Let me suggest two things the Government can do. First, tens of thousands of children who were either born in the UK or have lived most of their lives here are undocumented. They are entitled by law to British citizenship if they register, but if they cannot register and become citizens, they face exactly the same issues as the Windrush generation. I cannot see how the Home Office can justify charging more than £1,000 for the privilege of registration. Those children are entitled to British citizenship, and they should not be charged to exercise their rights in this country, any more than the Windrush generation should. That must be put right immediately.

Most obviously and urgently, as my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock) said, we must look after the 3 million and more EU nationals in the UK. The Government must urgently update us about their progress in establishing a system for seeking settled status. Regardless of how successful that system eventually proves to be, it is very hard to see how, at the end of the grace period, we can avoid there being tens of thousands—probably hundreds of thousands—of people who have not successfully navigated the system to secure a document proving their status. If that happens, it will be Windrush on an even more desperate scale.

Those are the immediate priorities. If Parliament is seriously angry about the hostile environment, it will get down to the business of a root-and-branch review of the Immigration Act 2014 and the Immigration Act 2016. We must indeed start putting in place a system that properly respects people, their human rights and the rule of law. The one we have now too often fails to do so. Windrush is an awful and extreme example, but it is far from the only one.

6.40 pm

Afzal Khan (Manchester, Gorton) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson.

I, too, have a Commonwealth heritage, and I understand and support every word said by my right hon. Friend the Member for Tottenham (Mr Lammy). I thank him for his excellent and impressive work against this injustice. I also thank the petitioner and the 178,000 who signed the petition.

The Prime Minister tried to hide behind the previous Home Secretary, the right hon. Member for Hastings and Rye (Amber Rudd), but, in reality, she was the architect of these terrible policies and their awful consequences. The previous Home Secretary simply carried on her work. The news coverage of the past few days has been wall to wall on the politics of the resignation of the previous Home Secretary and the appointment of the right hon. Member for Bromsgrove (Sajid Javid). The petition allows us to re-centre the debate on the most important issue: the Home Office’s appalling treatment of the Windrush generation. They are British citizens who have been made homeless, been denied healthcare, lost their jobs, and been detained and potentially deported.

Thanks to The Guardian, a number of cases are now well known. We have also heard many cases in today’s debate, such as Paulette Wilson’s. Another case I want to share is that of Sarah O’Connor, who arrived in this country aged six. She worked in a computer shop from age 16 until last October. She lost that job when the benefits agencies challenged her immigration status. Other employers refused to hire her when they realised she had no passport. Only last month when her case received national media attention did the Home Office promise to waive her fee for a biometric card application. As we know, there are many more such cases and, at a Windrush meeting in my constituency, I came across similar heartbreaking cases.

The scandal is wider than the Government want to admit. It includes those who came from other Commonwealth countries, including India, Pakistan, Bangladesh, many African countries and others. The Migration Observatory estimates that 57,000 such UK citizens from the Commonwealth are directly affected. The scandal also affects children who were brought to this country after 1973, by parents who had arrived here before then. Immigrants who are starting out in a new country cannot always afford to bring their children with them. Although those children did not arrive in the UK before 1973, they are clearly part of the Windrush generation.
How did this scandal come about? Two words: hostile environment. That was a policy that was supposed to apply to illegal immigrants but, as was predicted, it affected anyone even suspected of being an illegal immigrant. That is exactly what happened to the Windrush generation. In 2014, the Tory-led Government removed protections for Commonwealth citizens who had arrived in this country before 1973. When she was Home Secretary, the Prime Minister brought in the 2016 Immigration Act, which obliges landlords, employers, the NHS and benefits offices to demand written proof of nationality, which many people do not possess. The Government knew that the early arrivals from the Commonwealth—British citizens—did not possess such proofs, but they went ahead anyway.

We have heard many questions from Members in the debate. What needs to happen now? We need answers. How many of the Windrush generation have been deported or detained? How many left voluntarily, under threat of deportation? How many have been refused re-entry after travelling abroad? Will the victims be fully compensated for all costs, all loss of income and services, and distress? Will the helpline report cases for deportation enforcement where it believes people are here illegally? Did the Home Office issue advice to immigration tribunals and judges of the change in the earlier Immigration Act 2014, which removed protections for Commonwealth citizens?

The Government have attempted to introduce red herrings in the debate, but illegal immigration is opposed on all sides, and Labour is in favour of deporting illegal migrants—we have pledged 500 extra Border Force guards to tackle the problem. The Commonwealth citizens who came here legally are still legal. It is only this Government’s policies that have treated them in effect as illegal. It is that scandal that the Government have created and should end.

6.45 pm

The Minister for Immigration (Caroline Nokes): It is a pleasure to serve under your chairmanship, Mr Robertson. I thank my hon. Friend the Member for St Austell and Newquay (Steve Double) and all right hon. and hon. Members across the House who have participated in the debate. They have spoken with passion, knowledge and indeed determination.

As we can clearly see, there is significant public interest in today’s debate, and rightly so. I thank members of the public who have attended, as well as all those who—nearly 200,000 of them—who added their name to the petition. The debate was obviously scheduled and I believe that one of those cases will be determined to get the wrong righted, to sort the cases out and to make sure that the legal status is confirmed. The hon. Member for Mitcham and Morden (Siobhain McDonagh) mentioned three cases; we have done a very rapid trawl of those appointments that are already scheduled and I believe that one of those cases will hopefully be resolved tomorrow.

It is important that we as Members convey to our constituents and to the public at large the fact that this process is designed to be constructive and to help. When I first spoke on this issue, I tried to impress on everyone the fact that we needed to have confidence built in the system, so that people would have the courage to come forward. Undoubtedly, the strongest advocates are the people who have been for their interviews and had their status confirmed, who have been willing to speak to the media to confirm that that has happened.

Let us be in no doubt about the debt of gratitude that this country owes to the Windrush generation. As my hon. Friend the Member for St Austell and Newquay described in his opening speech—they were invited to come to the United Kingdom immediately after the second world war and in the decades that followed to help us to build modern Britain.

As I said, the new Home Secretary was on his feet in the main Chamber when this debate began. He has rightly made it his clear priority to address Windrush, building on the work of his predecessor, my right hon. Friend the Member for Hastings and Rye (Amber Rudd), who showed commitment to addressing the issue. It was a pleasure to work with her in the Home Office, and I look forward to supporting the new Home Secretary in continuing that vital work.

I would like to do justice to the comments, questions and individual cases raised by Members this afternoon. All of them are important. Many Members will have noticed that I took copious notes throughout the debate, but I mention first the right hon. Member for Tottenham (Mr Lammy) even though, somewhat shamefacedly, I wrote very little about his contribution. That is because I preferred to listen—to his passion and to his determination to convey to me, Members, the public and the Government how strongly he feels that we must right this wrong. We are determined to do so.

I congratulate my hon. Friend the Member for Cheltenham (Alex Chalk), who is not in his place, on his tone. In fact, I congratulate all hon. Members who have contributed on their tone. There has been real consideration of the issue and real determination to convey the message to me as powerfully as possible. I therefore wish to start by saying that of course I feel shame and of course I am deeply, deeply sorry.

The hon. Member for Mitcham and Morden (Siobhain McDonagh) raised three cases, highlighting real and personal stories, which were similar to the personal stories that I heard over the weekend when I was in Croydon and in Sheffield with caseworkers who are on the frontline, doing their best to help people through the process. I have to say that I was very impressed with the determination of those caseworkers to be sympathetic and understanding, and to talk people through the process as gently as they possibly could while at the same time enabling them to give their stories and to provide a picture of their life in the UK—helping them through a process with which we should have been helping them much earlier.

We cannot fail to be moved and to be ashamed when confronted with the individual stories, but as a result, be determined to get the wrong righted, to sort the cases out and to make sure that the legal status is confirmed. The hon. Member for Mitcham and Morden (Siobhain McDonagh) mentioned three cases; we have done a very rapid trawl of those appointments that are already scheduled and I believe that one of those cases will hopefully be resolved tomorrow.

It is important that we as Members convey to our constituents and to the public at large the fact that this process is designed to be constructive and to help. When I first spoke on this issue, I tried to impress on everyone the fact that we needed to have confidence built in the system, so that people would have the courage to come forward. Undoubtedly, the strongest advocates are the people who have been for their interviews and had their status confirmed, who have been willing to speak to the media to confirm that that has happened.

My hon. Friend the Member for North Dorset (Simon Hoare) spoke of the melting pot of Cardiff; I represent part of the city of Southampton, another area that has a very large port. I was very fortunate last Thursday night to go and meet, albeit in the road that crosses the
edge of the constituency, one of my constituents called Don John, who for many decades has been a leader of the Caribbean community in Southampton.

I discussed the issue with him, knowing very well that this weekend, the hon. Member for Bristol West (Thangam Debbonaire) was holding an event in her constituency attended by Home Office officials, in order to give confidence to those from Bristol who might be affected that the Home Office is there to help. I said to Don on Thursday night, “Let’s see how the event in Bristol goes, but what I can do as a local Member is to make sure that people in Southampton have the opportunity to have an event. I will make sure that there are Home Office officials there.” I say that to all Members: where there is a significant community that they think will be affected, let us reach out to communities; let us not be just a reception centre in the various places that we have up and down the country; let’s make a real effort to go to communities and make sure that events take place in places that are comfortable for people.

I am the first to acknowledge that there can be barriers to coming and making contact with the Home Office. Working with my right hon. Friend the Home Secretary, they are barriers that I am determined to beat down, because they should not be there.

Lyn Brown: I am genuinely delighted to hear what the Minister has to say. She is a very competent Minister, but there is an issue of trust. I do not see my communities beating their way to her door, because that trust has been badly damaged.

Caroline Nokes: The hon. Lady is absolutely right to talk about trust, which is why I take her comment on the chin. We have a duty to rebuild that trust, and I am determined that we must do so through demonstration and through action, and through an assurance from me and those working on the taskforce that no case will be passed to immigration enforcement. When somebody contacts that helpline, we have absolutely undertaken that none of those details will be passed on to immigration enforcement.

Mr Lammy: The Minister will recognise that the Government still say that there is a burden of proof, although they have lowered it. If there were Windrush generation or Commonwealth people who contacted the Home Office who did not meet that burden, so did not get their status, would they be subject to enforcement? That fear is very real.

Caroline Nokes: The right hon. Gentleman raises an important question. I give that assurance. People may well come forward who cannot not produce the proof. It is imperative, if we are to build trust, that we say, “We will not pass those details to immigration enforcement.” The message has to be what I saw on Saturday: we want to be able to help people to build their own story. We want to be able to use whatever disparate pieces of information they may have. A gentleman came to Croydon on Saturday morning who could produce his City & Guilds qualification in horticulture, I believe. That one certificate was pretty much the only evidence that he had of where he had been at school. We have to listen to people and use our own records.

Catherine West: Does the Minister have a view about the legal aid question? In the old days, we all had legal aid centres that people could go to, but they simply do not exist in communities in the way that they did, due to Government reductions. [Interruption.] Will she comment on the possibility of legal aid?

Caroline Nokes: I am slightly concerned that there is an outbreak of coughing in the debate.

Catherine West: It’s freezing!

Caroline Nokes: The hon. Lady is right—it is absolutely freezing. I have been shaking throughout the debate, although that may not be due just to the temperature.

That is an interesting question, and we are already working with the Ministry of Justice on a review of legal aid. I do not want people to have to use lawyers; I want them to be able to go through an easy process. I get the message from the hon. Member for West Ham (Lyn Brown) that we have to build trust, and I am determined to do so.

Eleanor Smith (Wolverhampton South West) (Lab): I am one of the second generation of Windrush; my parents came in 1954. I really do not understand why people have to prove that they live in this country when they have children aged 30 or older and probably have grandkids, too. Why are we talking about having to prove it? Why can we not just give them a blanket exception? I do not understand why, if people have entered the country from 1948 onwards, and up to 1974, which is about 45 years ago, the Minister is talking about having to prove that they live in this country. Is that what she is saying?

Eleanor Smith: I am one of the second generation of Windrush; my parents came in 1954. I really do not understand why people have to prove that they live in this country when they have children aged 30 or older and probably have grandkids, too. Why are we talking about having to prove it? Why can we not just give them a blanket exception? I do not understand why, if people have entered the country from 1948 onwards, and up to 1974, which is about 45 years ago, the Minister is talking about having to prove that they live in this country. Is that what she is saying?

Caroline Nokes: There is a significant question of deemed leave and processes in 1973 that did not give people a legal document that demonstrated their status. That is the failing that we have to put right. There may well be people out there who do not come forward. We have to work to give people confidence, but also to give them an important document that enables them to go on and get their British citizenship—all at no cost. I do not want anyone to fall foul of this going forward. If we just grant deemed leave again, we may find ourselves in this situation again.

Many Members have mentioned the difference from EU settled status. That is an important and difficult point. Since I came into this job, a great deal of my time...
and energy have been taken up with making sure that the settled status scheme, which we will open later this year, will work. It matters to me that it works digitally and easily, and that, rather than the “computer says no” mentality, we have a default position whereby if people are here, the computer will say yes.

The hon. Member for Hornsey and Wood Green (Catherine West) asked about whether the app will work on iPhone; we have been working on that for many months. It works on an Android phone, but Apple as yet has not released the update that would enable it to work on iPhones. I recognise that that is a problem. I encourage all right hon. and hon. Members to talk about that, because I cannot force Apple to contribute—I wish I could, but I cannot. It is important that, for those EU citizens, many of whom have been here for years just like the Windrush generation, we make the process simple, straightforward and digital.

Afzal Khan: I thank the Minister for the clarification that no case will be passed on for enforcement, but we have seen that this is not simply a question of enforcement. There is the health issue—people are suffering from cancer and dying—and people are becoming homeless or losing jobs. What will she do to help them?

Caroline Nokes: I thank the hon. Gentleman for his question. It is absolutely right to say that the taskforce is prioritising appointments for people in vulnerable positions—those who are out of employment or at risk of falling out of employment, those with health conditions and those with problems with tenancies. There is a significant group of people with whom we must work, but it is right to prioritise people on the basis of need. We are working really hard. In Sheffield, it was great to see call-backs going on, appointments being made and people having conversations.

My right hon. Friend the former Home Secretary made it very clear that we will compensate people for loss, but it is right that we get the compensation scheme right from the outset. Members have raised interesting points about what should be included in that, many of which might seem really self-evident and straightforward—it should cover legal costs, loss of employment and housing, and so on—but there might be other aspects to it. A number of people have talked about counselling for stress and trauma. It is important that we have an independent person who enables and empowers us to get that right from the outset. That will take a little time, but it is important that we have someone independent of the Home Office who is able to engender trust.

John Spellar: Will the Minister give way?

Caroline Nokes: I will take an intervention from the right hon. Gentleman, even though he has not been here long.

John Spellar: I thank the Minister for the welcome remedial measures she is outlining, which could help to deal with the outcomes, but does she not recognise that this issue comes from deep systemic and cultural problems inside the Home Office? Members of Parliament raised cases and pointed out the flaws in the Home Office’s arguments, but it utterly refused to reconsider them. This is not just about the computer, or the initial person at the end of the line, saying no; it is about a failure of management then to remedy things. That is why we are having to get into compensation, taskforces and everything else. The Home Office will still have those deep problems. What is she going to do about that?

Caroline Nokes: Unfortunately, the right hon. Gentleman takes me away from the contributions that have been made and towards the—I do not know how to describe it—somewhat drier technical detail provided to me by officials. I am happy to move on to that, but I would like first to respond to the points made by Members who have been here for the whole debate.

I have addressed some important points about settled status for EU citizens and the responsibility for getting that right, but I would like to highlight the history lesson and information provided by my hon. Friend the Member for Worthing West (Sir Peter Bottomley). He painted a picture of how the Government can use evidence that is already at our disposal. That is really important. We can share data with the Driver and Vehicle Licensing Agency, the Department of Health and Social Care, the Department for Work and Pensions, Her Majesty’s Revenue and Customs—the list is long. That is exactly what the taskforce is doing. We are trying to lift the burden from individuals and place it on ourselves so that we provide the information and ensure we get it right.

The hon. Member for Wolverhampton North East (Emma Reynolds) rightly started by thanking all those from the Windrush generation who have contributed so much. She raised difficult and important questions for me about how we stop this happening again, and she was absolutely right to do so. We have to start it again. We have to ensure that the same cannot happen to future cohorts.

My hon. Friend the Member for Aldershot (Leo Docherty) mentioned the Gurkhas—that Nepalese community—who are so numerous at their base in Hampshire, and we must be mindful the whole while that other communities may well be impacted. I have indicated time and again that uppermost in my mind is the truly enormous number of people from the European Union—3.3 million—who are already here. I do not underestimate the scale of that task.

The hon. Member for Wolverhampton North East asked how we can right the wrong done to her constituent, Paulette Wilson. Mrs Wilson absolutely deserves a personal apology. I am not sure that me saying sorry today is adequate. If the hon. Lady would like me to do so, I would be very happy to meet Mrs Wilson. Every one of us was struck by the severe and cruel injustice that was done to her.

The hon. Lady and the Opposition spokesman raised questions about how many people have been affected, how many have been detained and how many may have been subjected to letters asking them to leave the country voluntarily, or potentially even to removal. We are trawling through the Home Office computer system—the caseworker information database, which goes back to 2002—and scrutinising cases very carefully, using both date of birth and nationality information to verify that, as one might expect. I do not wish to get into numbers until I can be confident that they are correct. We have...
an absolute duty to ensure that we get that right. To date, we have not found any single individual who has been removed from the country wrongly. However, I wish to ensure that we get it right.

Mr Lammy rose—

Catherine West rose—

Caroline Nokes: Everybody is leaping to their feet. I will take a final intervention from the right hon. Gentleman, but I have to crack on a bit.

Mr Lammy: There is an important group of people who may not have been removed but who are watching and listening to this debate and communicating with their families in this country. That is the group of people who went back to the Caribbean, most often to attend a funeral, and were not allowed to come back to this country. It is very important that those people have access to the hotline and to compensation—many of them lost their jobs and are still there—and that they are properly tracked and attended to.

Caroline Nokes: The right hon. Gentleman is absolutely right to point those people out, and I am very conscious—

Sir Peter Bottomley: Will the Minister give way?

Lyn Brown rose—

Caroline Nokes rose—

Caroline Nokes: May I conclude my point before more people jump in? The right hon. Gentleman is right to point that issue out. As the former Home Secretary said last week, we will facilitate those people’s coming home if they wish to. Of course, we must also ensure that visas are available to those who have settled back in their country of origin or elsewhere, should they wish to come here on a visit or relocate here permanently. That is crucial. It is important that we ensure that we enable that to happen for them.

Sir Peter Bottomley: It may be that the Minister wants to write to the right hon. Member for Tottenham after the debate. Officials may want—not today, but in time—to consider and advise Ministers on checking with airlines. Often, those people went with a valid ticket to an airline desk and were refused boarding by the airline because they might be refused entry to the country. The airlines will almost certainly have a record of that. It would be useful information.

Caroline Nokes: I thank you, Sir Peter. Friend for making that point, which I have made to officials. I was very concerned that people might be turned away at airline desks. We absolutely must not let that happen. Equally, the Border Force in the UK has to understand that this is a generation of people to whom we owe a duty to get things right from this point forward. We cannot allow this dreadful situation to arise again.

Lyn Brown: On the issue of trust, my constituents are concerned that deportations are continuing, despite our debating the issue and despite reassurances from the Minister, the Home Secretary and the Prime Minister.

One of my constituents, Zita, contacted me to ask about flight PVT070, which she tells me is about to go to Jamaica with people on board who are being deported.

Caroline Nokes indicated dissent.

Lyn Brown: I would be grateful if the Minister put that shake of the head into words and on the record.

Caroline Nokes: It is absolutely not. We are looking very closely at all our enforcement practices to make sure that nobody can be impacted in this way, and that is crucial.

Several hon. Members rose—

Caroline Nokes: I hope hon. Members will not object if I move on somewhat. I apologise, but there are some important matters that I must get on the record, and I intend to do so.

I am very clear that there has been a failure by successive Governments to ensure that individuals who arrived before 1973 have the documentation they need. We are putting that right as a matter of urgency. My right hon. Friend the former Home Secretary made a statement to the House last week in which she set out our approach to the Windrush generation, including the compensation scheme, which I have already referred to.

I am a pragmatic politician, and I do not apologise for that. I have always been focused on finding solutions, and that is exactly what we are trying to do now. When we saw Windrush cases emerging, we became focused on the operational side of helping those individuals. As the former Home Secretary said, we were too slow to identify the pattern and recognise it as part of a wider issue. For that, I am very sorry.

I want to make sure that we not only put this right but improve our mechanisms, to ensure that if a similar systemic issue were to arise again, the Home Office would be able to identify and resolve it much more clearly. The new contact centre will be at the centre of that, monitoring trends from incoming calls to understand where the problems are. We will supplement that with insight and customer feedback to UK Visas and Immigration. I was asked whether there would be a time limit, and I can reassure Members that there will not be.

Catherine West: I thank the Minister for being so generous with her time. Will she clarify whether Home Office staff receive a bonus for the number of removals they make?

Caroline Nokes: I am absolutely unaware of any bonus scheme for removals. What I want to focus on today is not removals but making sure, for the Windrush generation, that we get their British citizenship granted as swiftly as we can and at no cost to them.

Yvette Cooper rose—

Caroline Nokes: The right hon. Lady has sat silently so far—I am surprised.

Yvette Cooper: I have been listening, and I wanted to hear the contributions—I will want to speak in the debate on Wednesday. My hon. Friend’s question is
important, because I heard rumours that the head of immigration enforcement and senior enforcement officials have had bonuses linked to enforcement performance, including meeting removals targets. I appreciate that the Minister may not know the details right now, but it is really important that she finds some urgent clarity on that. It would be very disturbing to have a target-driven system that rewards people for removals they make, when there are no independent appeals against many removals and enforcement.

Caroline Nokes: The right hon. Lady has asked a specific question about bonuses, and I have said on the record I am not aware of any such system of bonuses. However, I will undertake to go away and find out, prior to Wednesday’s debate, when I look forward to being able to go over this issue in more detail, with more time, in the main Chamber.

I know, as everyone here and—I believe—everyone in this House knows, that we regard the Windrush generation as being of us and part of us. I believe the hon. Member for Hornsey and Wood Green referred to them as being “part of the furniture”. We regard them as British, but we need to ensure that they have the legal documentation confirming that. Nationality law is incredibly complicated, and I want to ensure that their legal status is cemented as soon as possible. We have made it clear that we wish the process to be simple and that nobody should have to undergo a life in the UK test or attend a citizenship ceremony unless they wish to. Some may, and we would want to make that available to them.

Of course, some may not wish to be British citizens at all. We respect that position, but we still need to confirm their status here—free of charge—as someone able to remain in the UK and access services. This point was made earlier: there will also be people in the Windrush generation who, having worked all their lives in Britain, have retired to the country of their birth but obviously retain strong ties here. We should respect and nurture those ties. Should they wish to come back, we will allow that.

I sympathise with anyone who has found the process difficult, and I would like to assure hon. Members that we are doing everything we can to ensure that it is as smooth as possible. I am pleased that more than 100 people have now been issued with the documentation they sought, but please be assured that I am in no way complacent about that. We will continue to improve the service provided.

Mr Lammy: There is another important point. The Minister will understand that some important Caribbean countries—St Kitts, Antigua, St Lucia and others—got their independence after 1973, and a bunch of people are concerned about the 1973 cut-off. Will she say a little more about the situation for those people, some of whom may have come to this country as British subjects from countries whose independence did not come until later in the 1970s or early 1980s? Antigua’s was as late as 1981.

Caroline Nokes: Of course, my right hon. Friend the previous Home Secretary addressed how we solve the status and situation of those who may have come here between 1973 and 1988. I am aware of this issue, and, going forward, I want to ensure that we have a comprehensive package for those whom I am going to regard as the Windrush children, of whom there are very, very many.

As I have said, I was in Sheffield and Croydon over the weekend, listening to the calls being made and the quality of the conversations going on—they were conversations; they were in no way interrogative. In our process, we have a script that is evolving over time. At the end of every day, the script changes and the lessons that have been learned from those conversations during the day are used to ensure that things are better going forward. It is an evolving, iterative process.

I think I have addressed most of the questions raised. If important aspects have been raised that I have not addressed, I will make them very clear to the House on Wednesday. We are working hard to resolve the situation.

The new Home Secretary has made his position, personal investment and commitment very clear, and we are working to ensure that it cannot happen again.

As we have heard, this year is the 70th anniversary of the Empire Windrush arriving at Tilbury docks, which makes the situation all the more poignant and tragic. The Government will be celebrating Windrush day, and in the next few days I will have the opportunity to speak to the new Secretary of State for Housing, Communities and Local Government about how we can use that occasion to build trust with those we have let down. It is not lost on me that our new Home Secretary has come to the Home Office from the Ministry of Housing, Communities and Local Government, and, of course, he introduced the paper on integration, which is so important going forward. He has a strong ally in the new Secretary of State in his old Department, which I am sure will provide a strong link.

I reassure right hon. and hon. Members that the Government are committed to righting the wrongs for the Windrush generation, to ensuring that those who have the right to be here in the United Kingdom are never treated in such a way again and to restoring trust in the Home Office to deliver the outcome that people deserve. I am proud of the work that has been done over the past fortnight to set us on the right course, and I look forward to working with colleagues and officials in the coming months to accomplish those aims.

7.18 pm

Steve Double: I want first to thank all right hon. and hon. Members who have taken part in the debate. It has at times been passionate; it has been clear; and there have been excellent contributions from across the House, including many deeply moving personal accounts. I also thank Mr Vernon, and all those who signed the petition that enabled the debate to take place today. We are very grateful and I am delighted that it has been possible to hold the debate, through the Petitions Committee.

There has been great agreement across the House that we owe a huge debt of gratitude to the Windrush generation, and to all those who have come from Commonwealth countries and played such an important role in our nation, and contributed so much, over past decades. There was agreement that wrong has been done to them. I am grateful to the Minister for her clear message that there is no hiding from it—that something has gone dramatically wrong and needs to be put right.
There was also agreement that there are lessons that have to be learned to ensure that where things have gone wrong changes will be made, so that what happened can never be allowed to happen again.

I want, as many Members have done in the debate, to give once again the clear message that we are incredibly grateful to those who have come as part of the Windrush generation, and to others since who have contributed so much to our country. We are sorry about the experience that they have had to go through, and the clear message from this House is that we want them to stay. They belong here and are part of our nation. We want to do everything we possibly can to make sure they know that they are welcome here. We will do everything we can to resolve the issue, so that they have the documentation they need to feel secure, and to feel they belong here for the future.

Question put and agreed to.

Resolved,
That this House has considered e-petition 216539 relating to people who entered the UK as minors between 1948 and 1971.

7.21 pm
Sitting adjourned.
The trauma and anguish of being sexually abused remained with Ian and are still with him. Since the recent revelations about Bennell came out two years ago, Ian’s personal and work life have suffered. Ian has used his experience with other abuse victims Paul Stewart, David White and Derek Bell to set up an organisation called SAVE, which seeks to engage with victims and others, to inform and provide advice about safeguarding in sport, and to raise awareness about potential loopholes and oversights in procedures and day-to-day activity.

I, like many others, assumed that the sexual abuse by Bennell that Ian and others suffered could not happen today because we live in different times from the 1980s, and sport has changed beyond all recognition since that time; but on closer inspection I think that there are areas that need improving. Before preparing for this debate I met with the National Society for the Prevention of Cruelty to Children, the head of safeguarding at the Football Association and a representative of the Lawn Tennis Association, and I spoke to a number of people involved in safeguarding. The FA has an exemplary safeguarding policy endorsed by the NSPCC child protection in sport unit, which it should be proud of. It even has a grassroots football safeguarding policy, which covers everything—recruitment of volunteers and staff, creating a safe environment, criminal record checks, travel and trips, vulnerable people and even cyber-bullying. Ideally, all clubs should fully implement and abide by those policies, but I have a concern about how very small Sunday morning football clubs, which are run predominantly by volunteers, will be able to ensure that all those steps are taken without finding them extremely burdensome.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Gentleman on what is undoubtedly a timely debate. Of course young people and children should be safeguarded, but does he agree, having alluded to volunteers, that we must respect the integrity of the many thousands of them who are above reproach, and ensure that the tiny minority who have been abusive are completely and utterly isolated and alienated from dealing with young children in sport?

Bambos Charalambous: The hon. Gentleman makes an excellent point. Trying to close the loopholes, to stop abuse happening, is paramount; but we must also take into account the fact that many smaller clubs are run entirely by volunteers, and we must thank the genuine volunteers who are there for the benefit of the young people in the sport.

More structural support is needed at the regional or county level to ensure that small clubs get help with implementing safeguarding policies. There should be someone at the regional or county level who ensures that the policies are adhered to and that proper monitoring takes place. It is often at the smaller clubs that abuse will first happen, as in Ian Ackley’s case. We also need to ensure that children and young people feel able to speak out and feel that they will be listened to when they call out abuse. That is why we need to make sure that they can do so in a safe environment, and that they are encouraged to speak out. Children and young people could be given confidence during player induction at sport settings about speaking up if they come across abuse, and there are other means whereby clubs can encourage young people to speak out whenever they come across abuse or anything happens to them.
When I met the Lawn Tennis Association I was staggered to discover that not all tennis clubs are affiliated to it. It has approximately 2,700 members, but more than 1,000 clubs are not registered with it. Some people might say, “So what? What difference does it make?”

This year, for the first time, the LTA has made it a requirement that all affiliated clubs use only LTA-accredited coaches, who must meet a minimum safeguarding standard. Unregistered clubs, on the other hand, are free to appoint whomever they choose as a tennis coach. According to the LTA, there are more than 800 “accredited tennis coaches”. There are other coaching courses apart from the LTA’s, but it is worth noting that some accreditation can be obtained online for as little as £80. That means that a child or young person could be having lessons at an unregistered tennis club with a coach who obtained their accreditation online by answering tick-box questions.

What I am saying is in no way intended to call into question good unaffiliated tennis clubs and coaches, but, as we have seen time and again, people who abuse children and young people find a way to get close to them, just as rain gets through cracks in the pavement. The question arises whether coaching courses should be licensed and have Government-approved kitemarks to give people an idea of the quality of the safeguarding training undergone by the coach. Perhaps that could be a role for the child protection in sport unit, which already gives ratings to governing bodies. It is often hard for parents to navigate all the different accreditations and codes, and anything that makes things simpler, and easier to understand, should be encouraged.

More needs to be done about summer sports courses. As things stand, there would be nothing to stop me or anyone else hiring a field and setting up my own summer football skills course for kids. With some clever marketing, I could be up and running with some cones, bibs and footballs. I think more checks need to be carried out in those casual arrangements, too. It is the sort of thing that local authority trading standards teams could check, provided they had the funding to do so.

Tonia Antoniazzi (Gower) (Lab): I congratulate my hon. Friend on securing the debate. Does he agree that all sports clubs, at whatever level, dealing with children should have whistleblowing policies under which they can refer themselves to a Government or sports organisation and procedures that are available for parents and children alike?

Bambos Charalambous: My hon. Friend makes a very good point. Whistleblowing is important and must be catered for as far as possible. Clubs should be able to report things higher up and whistleblowers’ reports should be properly investigated.

Having mentioned coaches, I want to turn to the definition of “regulated activity”. The Protection of Freedoms Act 2012 tightened the definition of regulated activity in relation to children to mean working “regularly”—four or more days in a 30-day period—and “unsupervised” with children. Coaching falls into that category. If someone satisfies those criteria, sports clubs can carry out an enhanced DBS—Disclosure and Barring Service—check, with barred list check to see whether the individual is barred from working with children. However, it is an offence for a club to ask for an enhanced DBS check on an individual if the role does not require one. For example, the coach who coaches the youth team every Thursday night would be classified as falling into that category, but their assistant, who is technically supervised by the coach, would not be caught by that legislation.

Supervision does not always prevent abuse from happening, as it often happens in plain view, with people disbelieving that someone whom they have got to know well and even considered a friend could ever commit such vile acts of abuse.

Laura Smith (Crewe and Nantwich) (Lab): I congratulate my hon. Friend on securing the debate. I would like to place on the record my support and complete admiration for those victims who have so bravely spoken out about their terrible experiences at the hands of Barry Bennell. They were let down. My constituents who were victims are fighting tirelessly so that something like that can never happen again. It is so important that no stone is left unturned.

Sir Roger Gale (in the Chair): Order. Let me reiterate my plea for hon. Members not to refer to cases that are before the courts.

Laura Smith: He was found guilty.

Bambos Charalambous: I think that my hon. Friend was referring to someone who has been convicted. We should congratulate the people who came forward and whose cases led to convictions. More cases may follow, and we do not want to go into that area, but my hon. Friend makes a good point about the bravery of the people who came forward.

A predatory individual could simply seek a supervised role with a sports club that would allow them access to children and young people. They could be groomed over a long period and, once the individual had built a trusting relationship with them, they could be exploited and abused. There is evidence to show that adults who have been barred from working with children will continue to try to get access. The NSPCC has discovered that, since the definition of regulated activity was changed in 2012, more than 1,100 people who have been barred from working with children because they pose a threat have been caught applying to work in regulated activity by the DBS. I am not aware of any statistics in relation to unregulated activity.

Sports clubs can find it complex to identify which role should be classified as regulated activity and which should not, and could be at risk of committing an offence of over-checking if they decide to carry out a DBS check with barred list information on an individual in a role that does not require it. It is clear to me that that places sports clubs in a difficult position and that the definition of regulated activity needs to be amended and widened.

Another area that needs re-examining is “Positions of trust”, as defined by sections 21 and 22 of the Sexual Offences Act 2003. As the law stands, children are protected from being groomed into sexual relationships by trusted adults with power and influence over them. That applies to teachers, social workers and doctors, but not to sports coaches or youth leaders. That creates
the absurd situation that if a physical education teacher teaching football at school engaged in sexual activity with a 16-year-old child, that would be an offence, but if the same individual in a sports coaching role did the same thing outside school, that would not be. There should be no distinction between the two, and the law needs to be changed accordingly.

David Simpson (Upper Bann) (DUP): I congratulate the hon. Gentleman on obtaining the debate. We can put safeguards in place for the future, but what more can be done to help those victims who have been traumatised—those people who are living with the trauma day in, day out?

Bambos Charalambous: The hon. Gentleman poses an excellent question. There needs to be much more support for those people in relation to their mental health. Many people are suffering trauma as a result of past events. We need to ensure that there is a proper support network for them, so that they get the counselling, advice and therapy that they need in order to come to terms with the appalling effects of historical sexual abuse.

To return to the point about positions of trust, many national governing bodies for sports want to see the change to which I referred, and have told the NSPCC that more than 50% of all safeguarding cases arise from inappropriate relationships with sports coaches. I understand that last year the Minister announced that a ministerial commitment had been secured to extend the “position of trust” provision to sports coaches. I invite her to update us on the progress of that commitment.

Closer working with the police will be necessary. I have been made aware of instances in which the police have suggested that an individual may pose a risk to children at a sports club, and that has led to the individual’s suspension, only for the police to take no further action because the suspension means that there is no longer a risk. That sort of practice exposes clubs to challenges to their decisions to suspend and may have an adverse effect on an innocent individual.

Many victims of abuse will need advice and support when reporting it and also in the aftermath, when they may suffer from depression, have suicidal thoughts, be at risk of self-harm and suffer with their mental health generally. I know that last year the Government published a Green Paper on children and young people’s mental health, but will the Minister give serious consideration to out-of-hours provision of support for victims?

At the start of the debate, I touched on how Barry Bennell was able to get away with his sexual abuse of boys, despite it being an open secret in Manchester and other places. It is the responsibility of all to take action when we see it. I would like to think that, given the recent sex abuse scandals, none of us would tolerate knowing about any such abuse and not reporting it.

Playing sport should be fun, safe, enjoyable and rewarding. The purpose of this debate is to ensure that it remains so for children and young people. For the sake of people such as Ian Ackley and the other brave victims who spoke out about their abuse, and those who have not done so or were not able to do so, who have been robbed of their youth by the actions of evil men, I hope that by speaking up and taking action now, we will be preventing future abuse from happening in sport.

I appreciate that some of the matters that I have mentioned may fall outside the Minister’s remit, but I want to ensure that these issues have been properly aired and I hope that she will be able to use this debate to influence her ministerial colleagues to bring about the changes that will make children and young people in sport safer.

9.48 am

Douglas Ross (Moray) (Con): It is a pleasure to serve under your chairmanship, Sir Roger. I, too, congratulate the hon. Member for Enfield, Southgate (Bambos Charalambous) on securing this timely and important debate, and on the sympathetic way in which he outlined the case of Ian Ackley. I also welcome Ian to Westminster and congratulate him on his bravery, because it is only through his bravery and that of others that dangerous individuals such as Barry Bennell have been locked up—put away—and a light has been shone on this unacceptable and despicable practice.

Young people being interested in sport is key for their development and fitness, and it is important that we do everything possible to give them a positive environment when they are learning and nurturing their skills and developing the traits that we hope they will take further into a sporting career, or just into life generally as they get older. Of course it is imperative that we protect children in sport. However, it is also important, as the hon. Gentleman said, that we protect adults who genuinely want to help children in sport. We must alienate and root out the small minority who would use their place in sport to try to harm children in despicable ways.

I want to focus my remarks on what we are doing in Scotland to safeguard children in sport. There is currently a partnership between Children 1st and SportScotland, working with local authorities, local sports trusts, leisure trusts and sports clubs to ensure that we do as much as possible to protect young people in sport. Children 1st and SportScotland published a 116-page document entitled “10 steps to safeguard children in sport”. It is important that everything is in there to ensure that the maximum guidance is available to everyone involved in sport. It is imperative that we get that document to all people involved in sport in Scotland and across the UK.

In preparation for this debate, I spoke with my local sports development officer in Moray Council, Kim Paterson, who explained that she is the only tutor in Moray—quite a wide geographical area—who is delivering the safeguarding and protecting children course. Since January she has run 10 courses and each of them has had the maximum 20 participants, so 200 people in Moray have taken the course in the past few months.

Kim told me that a number of people are almost forced by their national governing body to do the course, so they approach it like a tick-box exercise—they feel that they have to do it. However, when they leave at the end of the day, they tell Kim and others involved in the class that they never knew there was so much information available about protecting children in sport. They might start the course a bit apprehensive about having to do more training, but they leave with far more information, and that is a positive development. If they want to go on further, there is the In Safe Hands course delivered by Children 1st, which is the next level up, looking at child protection officers within local clubs.
People sometimes see these courses as tick-box exercises; they attend once and then never go back. However, it is best practice to renew them every three years. We should all be encouraging people to ensure that they keep up to date with the standards expected of them. Children 1st and SportScotland are looking at an online version for refresher courses in future, which I would very much support.

The debate is timely and reminds us of the bravery displayed by Ian Ackley and others to ensure that individuals who caused harm in sport were brought to justice and did not get away scot-free. As the hon. Member for Enfield, Southgate said, we live in different times, but that does not mean that we should be complacent. If we became complacent, by assuming that this might have happened in the ‘70s or ‘80s but would not happen in 2018, we would all be letting down children and young people in our areas.

There has been progress across the UK—great work has been done to protect and safeguard children and young people in sport—but I truly believe that there is more to do. Today’s debate reminds us all of the horrors of the past. We must ensure that we do not allow that to be a distant memory and we keep up our efforts to ensure that our children can continue to enjoy sport, to gain from sport and to live their dreams in sport, but that they do not suffer nightmares, as many did under Barry Bennell and others.

Several hon. Members rose—

Sir Roger Gale (in the Chair): Order. I know that this is difficult, but I would be grateful if hon. Members could keep names that are before the courts out of the debate.

9.53 am

Jim Shannon (Strangford) (DUP): I can give you a categorical assurance that I will not mention any names, Sir Roger, but I do want to speak on this subject. I congratulate the hon. Member for Enfield, Southgate (Bambos Charalambous) on securing the debate—we spoke about this issue on the train last Thursday and I understand his reasons for bringing it forward. It is a very important issue for all of us in this House. We are aware of your guidance, Sir Roger. I would like to give a Northern Ireland perspective on this debate. I look to the shadow Minister and the Minister, as always, for suitable and helpful responses.

As the proud father of three strapping young boys, and the even prouder grandfather of two young granddaughters, the issue of child safeguarding is close to my heart. As a father, a grandfather and an elected representative with direct contact with my constituency, and as someone who has been involved in sports over the years, my heart aches when I hear of a child going through any form of abuse, whether mental, physical or sexual. I wish to play my part in ensuring that no child whatsoever goes through that pain.

There are some 430,000 children under the age of 18 in Northern Ireland. Of those, almost 2,100 were identified as needing protection from abuse in 2017. We all know that that is not a true picture of how far abuse goes. We all suspect that it goes much further than that. Throughout the Province there is abuse taking place that will never be talked about, and for which justice will never be served. My hon. Friend the Member for East Londonderry (Mr Campbell) and I were just talking about that. There were probably lots of things that happened when we were younger that were never spoken about. It certainly did not happen in the circles I was in, but that does not mean it did not happen elsewhere, because obviously it did. Over 58,000 children were identified as needing protection from abuse in the UK in 2016. This is a UK-wide issue that must be addressed in a UK-wide manner. This is the place to do that: in this House with the Minister present.

I read the NSPCC’s briefing on preventing abuse of positions of trust, which was very helpful. I agree with the points that it made, and which the hon. Member for Enfield, Southgate explained so well in his introduction. It states:

“Sex crimes committed by adults in positions of trust have increased by more than 80 per cent since 2014...The number of offences where professionals such as teachers, care staff and youth justice workers targeted 16 and 17-year-olds in their care for sex rose to 290 in the year to June—up from 159 three years ago. Nearly 1,000 crimes were recorded over the period, with the figure steadily rising year on year.”

Current legislation does not include all sports roles, for example coaches, assistant instructors or helpers. We also need to include sports organisation and settings, such as clubs, leisure facilities and events, within these definitions. We need clarification. The legislation needs to be tightened so that all of that is covered. Is that something the Minister intends to do?

Julian Sturdy (York Outer) (Con): I thank the hon. Member for Enfield, Southgate (Bambos Charalambous) for securing this important debate. Does the hon. Member for Strangford (Jim Shannon) agree that we should also consider the role of the Charity Commission? A case in my constituency has shown that although the commission is good at ensuring that clubs and organisations have correct policies in place, it lacks the teeth to carry anything through. When concerns are raised, it is very slow to follow up with action.

Jim Shannon: The hon. Gentleman rightly outlines an anomaly that needs to be addressed. Again, I look to the Minister for a response. I would like to see it addressed in legislation, and this debate gives us an opportunity to do just that.

At present, abuse of a position of trust within most sports contexts is not illegal, although there might be circumstances in which the law does apply to sports coaches, for example if they are employed by and operating within a school. The hon. Member for York Outer (Julian Sturdy) touched upon that as well. The NSPCC’s view is that, because of the vulnerability of young people and the particular circumstances of sport, the legislation should be extended to roles and settings within sport. We are deeply indebted to the NSPCC for its briefing. It has outlined a number of things that will be very helpful to the Minister. I ask the Minister: when can this be done? When can the initiatives and helpful suggestions set out in the briefing and offered by hon. Members be taken on board? I know that the Government, the Minister and hon. Members are willing, so to me it is a matter of seeing where we should prioritise moving this. It must be high on the list of priorities and we must look for imminent legislative change.
I am sure that we were all moved by the stories of the Olympic gold medal-winning US gymnasts who eventually spoke out about their coach. I was shocked at how widespread the abuse was. My next thought was, “Could this happen in Northern Ireland, in the United Kingdom, or anywhere we have some representative, control or input? How are we protecting our children who want to excel and who put their trust in coaches and staff, but who are taken advantage of?” In Northern Ireland, people who work with children must have clearance, but that protects children only from known offenders. What legislation is in place to ensure that the first inappropriate touch or talk is reported as a crime, and that steps are taken to convict? We must get to that stage.

There is no protection in sporting circles for 16 and 17-year-olds, who are not protected under normal sexual consent laws. That needs to change. As the hon. Member for Enfield, Southgate said, the loophole must be closed and laws on positions of trust must be extended to the work of all those involved with children. People, including us in this House, are blessed to have an input in how to help children or young people to grow in sport, education and life, and as a family member. It is so important to have the right laws in place to ensure that happens in the right way.

The bravery of those who have come out after years of dealing with the secret pain of their abuse must be applauded. No one in this House or outside could fail to be moved by some of the stories that we have heard publicly—very publicly, usually. Moreover, those people must be the catalyst for desperately needed change.

We must look to those people, who have come through so much, and who speak out to make a change and to ensure that no other child goes through what they have gone through, and say that we will stand with them.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I thank my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) for securing the debate. The hon. Gentleman’s point reminded me of ChildLine, and how important a phone call to ChildLine was. Given the problem that we have, perhaps the Government should give ChildLine the money—I think it was running out of money because of its charity status. We need a lifeline for those kids so that they can speak to someone they can trust.

Jim Shannon: The hon. Gentleman is absolutely right. We are all aware of the good work that ChildLine does and the initiatives that it has set out. We need to give it support and assistance in any way we can. We should ensure that it is more available, and that young people can take advantage of it. What the NSPCC did at the beginning was a great step. Many people in my constituency, across Northern Ireland and across the whole United Kingdom of Great Britain and Northern Ireland took advantage of that opportunity.

We must not only stand with those people, but speak out alongside them and act as they have acted, for the sake of my granddaughters and other children across the country. We always look to the Minister for support and guidance. Today we ask her to take action and to do what she can to protect all our children.

Sir Roger Gale (in the Chair): Before we proceed, I am aware of an element of disquiet, so I will place the ruling on the record, so that everybody understands why I have said what I have said. I imply no personal criticism to any Member. The Standing Orders for public business clearly state:

“Appellate proceedings, whether criminal or civil, are active from the time when they are commenced by application for leave to appeal or by notice of appeal until ended by judgment or discontinuance”.

They are therefore sub judice. I understand the strength of feeling in these cases—were I not in the Chair, I might share it—but the fact is that one of these cases is the subject of leave to appeal and therefore cannot be referred to.

10.4 am
Gavin Newlands (Paisley and Renfrewshire North) (SNP): It is a pleasure to see you in the Chair, Sir Roger. I am delighted to take part in this timely debate and I pay tribute to my colleague on the Justice Committee, the hon. Member for Enfield, Southgate (Bambos Charalambous) for securing it. He opened proceedings with a moving and powerful speech in which he spoke about the traumatic abuse suffered by his constituent. I commend everyone who has come forward for their bravery.

It is worth remembering the huge benefits that sport can have for the young. I often speak about the power of sport to influence positive change, and that is never truer than when we consider the impact of sport on the young. The power of sport can improve a young person’s self-confidence and discipline. Moreover and crucially, as we continue to debate our response to childhood obesity—nearly one third of children aged two to 15 are overweight or obese—sport can help children to lead healthier lives. Governments play a pivotal role in promoting that through policy and financing. If we in Scotland are to secure the legacy of the 2014 Commonwealth games, it will be through Scotland’s children and young people.

As a parent of two young girls, I have always encouraged them to get involved in sporting activities. Although my eldest plays football, the vast majority of their physical activity is done through the medium of dance. There is an argument to be had about whether dance is a sport or an art—I would argue that it can be both—but that is for a future Westminster Hall debate, at which I am sure the hon. Member for Strangford (Jim Shannon) will join me.

The coaching and encouragement that my daughters receive from their excellent teachers improve their self-confidence and discipline—sometimes, at least. I am aware of the trust and responsibility that all of us as parents put in coaches who help our children. I cannot speak highly enough of my daughters’ dance teachers, and the vast majority of coaches take very seriously their responsibility for the welfare of children in their care.

This debate is not about limiting the sporting opportunities for young people and children. In fact, it is the opposite: it is about how we can ensure that young people can flourish by having robust safeguards in place to ensure that they can participate in sport and physical activity safely and with confidence.
Over the past year or so, we have read horrifying headlines of child abuse cases in sport. Such cases have forced us to face the potential danger of children being exploited in sport. The courageous victims have made us confront whether appropriate safeguards are in place to ensure the protection of young people.

An NSPCC report highlighted the extent of those dangers and the real and frightening situation facing our young people. According to the NSPCC, the number of recorded sexual offences against children has increased in all four countries in the UK over the past year. Although those cases are not exclusively related to offences committed in a sporting environment, we would be foolish not to consider the issue in a sports setting and assess what can be done to ensure the welfare of young people in sport.

One way to do that is to better understand what abuse is. The NSPCC’s child protection in sport unit states that there are four types of abuse that young people in sport can experience. They include neglect, which can occur when a coach repeatedly fails to ensure that children in their care are safe; a form of physical abuse, where the nature and intensity of training or competition exceed the capacity of the child’s immature and growing body; and sexual abuse, which is another form of exploitation that young athletes experience all too often, as we have sadly seen. We also need to be mindful that young people and children can suffer from emotional abuse if they are subject to constant criticism or bullying behaviour, as was brought up in the Anti-bullying Week debate that I led last year.

We must always remember that abuse can take many different forms, and if we are going to be successful in eliminating that type of behaviour, we must be able to better identify abusive behaviour when it happens. We need to do a lot more to support children who have been abused and we also need to take firm action to prevent it from occurring in the first place.

In Scotland, we have a fantastic organisation called Children 1st—the hon. Member for Moray (Douglas Ross) has stolen my thunder somewhat in mentioning it—which works with SportScotland, sporting organisations and clubs to ensure that they have proper safeguards in place to protect children from abuse. It provides advice and training to staff, coaches and volunteers on the development and implementation of child protection policies, and it operates a helpline for those who have concerns for a child’s welfare. As we have heard, it recently launched the Safeguarding in Sport initiative in partnership with SportScotland, which aims to improve the safeguards in place for Scottish sport. The aim is simple: to create the safest possible environment for children in sport by working with parents, coaches, teachers and volunteers to improve the child protection policies and practices that clubs should have in place to ensure the welfare of children and young people.

Safeguarding in Sport has just published advice to all junior clubs that work with young people and children. Its recommendations include having a named contact for the co-ordination of child protection. That role should be clearly defined, to ensure that the responsibility for the welfare of children is paramount. It also recommends having a child protection policy that reflects national guidelines and that is adopted by the relevant management structure in the club; a variety of child protection training methods—as we have heard from the hon. Member for Moray—at appropriate levels for those working or volunteering with children and young people in sport; a much more stringent procedure for the recruitment and selection of those who work with children and young people, including access to the protecting vulnerable groups scheme membership checks; and a disciplinary procedure for managing concerns about and allegations of poor practice, misconduct or child abuse, including provision for referrals to the children’s list.

I can speak highly of the work that Children 1st does to help to ensure that young people participate in sport safely. Its work puts the responsibility and the onus on the clubs, coaches and parents with regard to the welfare of the child, but Safeguarding in Sport will support those people in meeting that responsibility.

The SportScotland young people’s sport panel ensures that the voices of young people themselves are heard on this issue. Those young people played a crucial part in developing the new standards for child wellbeing and protection in Scottish sport. That work led to the introduction of new standards for child protection in sport, which are centred on the needs and rights of the child.

The introduction of those new standards is to be welcomed, as they will hopefully strengthen the existing safeguards. However, we should also applaud the way in which those standards were introduced and developed. Involving young people in the process ensured that their views were at the forefront of what needs to be done to ensure the safety and wellbeing of young people in sport.

There are approximately 1.1 million coaches in the UK. Most of them are volunteers who give up evenings and weekends to provide young people with sporting opportunities. Coaches accept a lot of responsibility and it is important that we support them in the same way that they support children and young people. The last thing we want to do is to design a system that deters well-meaning people, who often are parents themselves, from becoming coaches. Crucially, however, we all want robust policies in place that allow young people to enjoy sport in a safe and secure way, and it is vital that community clubs are supported in that endeavour.

Dr Rosena Allin-Khan (Tooting) (Lab): Thank you for calling me to speak, Sir Roger; it is an absolute pleasure to serve under your chairmanship.

First, I thank my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) for calling this debate. I know that this issue is so important to him, and he has been tireless in working to secure this debate. I was extremely sorry to hear the story of his constituent, Mr Ackley, who spoke so bravely about the sexual abuse that he suffered. That cannot have been easy, but Mr Ackley has provided a voice for those who do not have one.

Sport should be enjoyed and loved by all. It has a unique propensity to build communities and friendships, to inspire and motivate, and to tackle much wider
issues, such as obesity and mental health. Also, as a parent of two young girls, I know how much sport can bring to children’s lives.

I am passionate about sport because I truly believe it has the power to impact positively on all of our lives, and at every opportunity we should encourage our children to be healthy and happy. That is why, most importantly, sport must be a safe space for all our children, free from predators and those who wish to cause harm.

Historical child abuse is one of the great issues of our time. For decades, it has loitered on the doorsteps of institutions. That time must end now. The scale of the revelations that we have heard about in just the past 10 years has shocked the UK to its core, and it is our collective responsibility across Government, across party lines and across governing bodies to tackle the issue. We must ensure that victims are supported and perpetrators punished, and we must do everything in our power to prevent it from ever happening again.

This issue is by no means confined to football or sport. We owe a great deal to the victims who have spoken out and I pay particular tribute to Andy Woodward, who waived his right to anonymity and told The Guardian that he had been sexually abused as a young player. His truly shocking and harrowing account paved the way for many other victims to come forward. Woodward’s actions sparked an inquiry that would change the face of football, and I pay tribute to the bravery of all those victims who have come forward since then to share their stories, not least Mr Ackley himself.

Within a few days of the revelations emerging, I tabled an urgent question for the Government and wrote to all sports governing bodies requesting a full review of their current safeguarding strategies, to make sure that there are suitable procedures in place to properly investigate historical claims, and that there is capacity to root out offenders.

Given that we had discussed the issue, I am pleased that the Government have included sports coaches in the law relating to the position of trust. What progress has been made on implementing that?

I am sure that many Members present will join me in welcoming the Scottish Government’s recent decision to consult on introducing mandatory disclosure checks on all sports coaches in Scotland. However, it is important that we are not simply reactionary. We must continue to work with Sport England, the NSPCC, the police, the CPSU and national governing bodies, to ensure that we set universal standards and instil best practice.

My shadow Front-Bench colleagues and I have pushed for the introduction of mandatory reporting, to place a legal duty on people working with children to report suspected abuse, suspicions and known abuse to children’s social services. Our view has not changed and nor will it. Mandatory reporting of child abuse and neglect must be introduced, because it is more than just a tick-box exercise. It is a chance to save lives and we owe it to our children and to all those brave people who have stood up and called out their experiences. Without mandatory reporting, we will never break the culture and we will never instigate meaningful change; without it, we will allow the perpetrators to continue unchallenged, as many of them have been for so long.

Everyone here today wants to see an end to this scandal and we are all working to achieve the same goal. Now is the time to act, ensuring that good practice is shared and, where necessary, new practices are put in place, so that abuse does not take place in sport at any level.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): Thank you very much, Sir Roger, for calling me to speak; as always, it is a pleasure to serve under your chairmanship.

I start by thanking the hon. Member for Enfield, Southgate (Bambos Charalambous) for securing today’s debate and I welcome the opportunity to raise awareness of this important issue and to highlight what we are doing in this area.

This is a subject very close to my heart. As the daughter of a social worker and the former coach of a football team in my constituency, I have a great appreciation for the important role of safeguarding, not only in society but in grassroots sports clubs. I have been pleased to see the positive impact that improvements in safeguarding over the years have had on young people, including at all levels of sport. However, it is vital that we build on the provisions that are already in place, so that all young people in sport receive the very best protection.

Like the hon. Gentleman, others in this House, I commend the immense bravery of all those who have spoken out about the abuse they have suffered at the hands of individuals in trusted positions in sport. I had the privilege of meeting his constituent, Ian Ackley, just before this debate. At the end of our conversation, he was generous enough to say, “Thank you for all you are doing.” My response was to say, “No, thank you”—not you, Sir Roger, obviously, but Mr Ackley—because without his bravery and that of others we might not be having this debate today. I do not want to open the papers in 20 years’ time and see another Ian coming forward because we did not pay enough attention to the systems that I am responsible for now.

I also pay tribute to Andy Woodward, whose bravery was mentioned by the hon. Member for Tooting (Dr Allin-Khan). I continue to support Andy on a regular basis and I listen to what he has to say, including where he thinks things should change. I would actually call him a friend now. I hope that is what this Government are seen as; basically, we want to ensure that we change things, so that this type of abuse never happens again.

Child sexual abuse is an abhorrent crime and it is right that we learn from it to make sure that it never happens again. Events over the last 18 months have highlighted unacceptable behaviour that went unchallenged for a long time. Sadly, this abuse has not been confined to football or the UK. Colleagues will be aware of the courageous gymnasts in the United States who have spoken out against their team doctor, and we have learned about widespread abuse within USA Swimming.

In the UK, the allegations of child sexual abuse in football related to cases that took place several decades ago. The independent review commissioned by the FA into the allegations will produce some important findings that we will all need to consider when the report is published.
Safeguarding in sport is much stronger than it was in the 1970s and 1980s, when the majority of these dreadful events occurred. That said, we must remain vigilant and continue to identify gaps in provision. The Child Protection in Sport Unit, which is part of the NSPCC, was founded in 2001 to be the expert organisation on child safeguarding in sport. As part of their funding agreements with Sport England and the requirements of the code for sports governance, all funded organisations must comply with the CPSU’s standards for safeguarding and protecting children in sport. All 43 county sports partnerships and 44 regularly funded national governing bodies meet and maintain those standards. We have also taken steps to promote best practice in non-funded sports. In March, I launched a code of safeguarding in martial arts to set consistent standards and provide parents with the knowledge they need to make informed decisions about where to send their children for instruction.

In our sports strategy, we recognise that the care of participants must be a core part of our approach to boosting participation. I asked Baroness Tanni Grey-Thompson to carry out a review of sport’s duty of care to its participants. One of the key findings was that it can be difficult for people to come forward with allegations about inappropriate or harmful behaviour, particularly at the higher levels of sport. It is vital that everyone in sport feels able to speak out if they have been subject to harassment, bullying or abuse. That is why we have enhanced whistleblowing practices within the governance code of NGBs. I have been clear that sports must co-operate and ensure that they foster healthy cultures, or they will have to answer to me. I am monitoring the situation carefully and working with UK Sport to ensure that each funded sport has robust grievance and whistleblowing policies in place.

Today’s debate has rightly raised the issue of inappropriate coach-athlete relationships. Sexual abuse is a criminal offence, regardless of the age of the victim or the relationship between the perpetrator and the victim. Grooming is also a criminal offence. We encourage anyone who has been subject to grooming or abuse within sport, or is aware that it is happening, to have the confidence to report it to the police.

Concerns have been raised about seemingly consensual relationships between coaches and young athletes in their care. Children under the age of 16 are not legally able to consent to sex: sexual activity with a child under 16 has long been and remains a criminal offence. However, there are clearly concerns that a 16 or 17-year-old, who may be above the age of consent, could be a victim of coercive behaviour due to the nature of the relationship between a coach and an athlete. Colleagues have rightly pointed out that I, as the Minister for Sport, am working closely with colleagues across Government to develop proposals to extend the definition of a position of trust under the Sexual Offences Act 2003 to include sports coaches. We are also investigating what further support we can give to sports organisations to help them handle these cases.

The hon. Member for Enfield, Southgate also makes an important point about regulated activity. We must acknowledge that DBS checks form only one part of the overall picture. Employers should use a range of checks to help them make safer recruitment decisions about whether individuals are suitable to work with children. These are two areas of policy that are primarily owned by other Departments, and I appreciate that the hon. Gentleman acknowledged that, but I can assure him and others that my officials regularly discuss these matters. I am working closely with ministerial colleagues to make progress as quickly as possible.

As someone who has experienced the system as a coach and as a manager, I want to say that grassroots clubs take DBS checks very seriously. If coaches or managers do not have certificates, they can have their charter status removed by the county FA and be suspended from the leagues they are in. I assure Members that grassroots football clubs do not take this issue lightly.

I thank all Members who have contributed today, but I take a moment to thank the NSPCC and the CPSU for their tireless work protecting children. Their campaigns, support and guidance are incredible, and both organisations helped the FA enormously in the immediate aftermath of the exposé of historic child abuse in football. I encourage colleagues to highlight to their constituents the NSPCC guide to the questions that parents should be asking clubs that their children go to about their safeguarding policies. As the hon. Gentleman said, we all have a responsibility on this issue. My door is always open to anyone who wants to discuss safeguarding in sport.

At the very centre of this issue are children, who must be safe to enjoy sport free from harm. We all know of the benefits that young people gain from sport. It helps develop communication, teamwork and physical and mental health, to name just a few. Across the UK, children participate in sport with the help of thousands of supportive and responsible adults, most of whom are volunteers. We must not lose sight of the fantastic work these adults do to create fulfilling opportunities in sport for our young people. None the less, just one case of abuse in sport is too many. We have made good progress, but we must continue to respond to the new and evolving challenges we face. I want to see the UK continue to lead the way in all matters of welfare and safeguarding so that we have a system in which every child is valued, protected and safe.
about safe spaces in sport, our collective responsibility and mandatory reporting. Again, we need to take those into account. That could be progressed further.

It is pleasing to hear the Minister’s comments and about the positive steps she has taken. I hope we will see more action, particularly in relation to positions of trust and regulated activity. I hope she will keep us informed about that, but she is right that it is not only about those areas; we also need wider support to ensure that DBS checks are taken seriously at the regional and county level. She spoke about non-funded sport, which needs far more support than the governing bodies, about the duty of care to participants and about the need to speak out.

I agree with the Minister on the excellent work the NSPCC has done. Its briefings for this debate were exceptional. We need to involve it as much as we can in these issues. Obviously, we should not forget the support that comes from adults and volunteers. As she rightly said, one case of abuse in sport is too many. I hope that she will come back at some stage with positive news about positions of trust and regulated activity. I am grateful for her response today. It has been a helpful debate, and I hope it will be the first step in ensuring that young people and children enjoy sport and get amazing benefits from it, but are kept safe for as long as possible.

Question put and agreed to.

Resolved,

That this House has considered the safeguarding of children and young people in sport.

10.29 am

Sitting suspended.
see him reach his first birthday in September 2017, and to see her beloved granddaughters, Matilda and Florence, reach the ages of eight and five—precious moments that are now my precious memories.

For families dealing with cancer, time is everything. Those who are diagnosed with bowel cancer have the best chance of surviving—and of surviving for much longer—if they are diagnosed at the earliest stage. This is why screening is so important.

Stephen Lloyd (Eastbourne) (LD): I thank the hon. Gentleman for securing this important debate. I offer him my condolences on his dear mother’s death. He will be aware of the enormous public petition—it has received 446,000 signatures—that was started all those years ago by Lauren Backler, who also lost her mother. I have supported that campaign for a long time. Does he agree that the evidence is clear that we should be screening at the age of 50, so it is surely time for an end to shilly-shallying from the Department of Health and Social Care? Will the Minister agree to at least pilot screening for bowel cancer at 50? It is obvious that the evidence from such a pilot would be irrefutable.

Nick Thomas-Symonds: I am grateful for that kind order. The situation we are in is entirely of my making, and for that I can only apologise. Given that there are so many Members present who might wish to intervene, I am prepared to stay in the Chair for six minutes of injury time to enable the hon. Gentleman to take interventions. I am sure that is illegal, but I am willing to do it, provided that the Minister and the hon. Gentleman, who are in charge of the debate, are prepared to accept that.

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine) indicated assent.

Nick Thomas-Symonds: I am grateful for that kind offer, Sir Roger. I am delighted to hear that we can continue for an extra six minutes.

The hon. Member for Eastbourne (Stephen Lloyd) is absolutely right. This is a cross-party issue. I believe that his predecessor spoke in favour of the system that he proposes, and the hon. Member for Hexham (Guy Opperman) contacted me to draw attention to the debate that he led back in 2011. There is broad cross-party consensus for looking at the screening age and at more accurate screening methods, which I will come on to.

Participation rates remain an issue. We should send a simple message to people: “Please do not ignore the bowel cancer screening kit, which could save your life.” There is no doubt that we must also do more to raise awareness of symptoms. Bowel cancer is often mistaken for other conditions, such as irritable bowel syndrome. That only reinforces the point that a number of hon. Members have made about the importance of highly accurate screening.

Previously, the standard screening test was considered to be the faecal occult blood test—the FOB test, as it is known—and all men and women between 60 and 74 received a home test kit, but that has been changing across the country. The best available test is now the faecal immunochemical test—the FIT—which can detect more cancers and can be set to different sensitivity levels, enabling any traces of human blood that are found to be investigated. The Royal College of Pathologists sent me a useful briefing, in which it indicates that it would expect a 45% increase in demand on pathology if the test were set at one level, but a 480% increase if it were set at a more sensitive level. That sensitivity level is important.

The Welsh Government are introducing the FIT from March 2019. I believe that it was due to be introduced in England in April. I hope that the Minister can update the House on when that will happen. I hope that there will be a decision for Northern Ireland soon. Of course, Scotland already screens people using the FIT at age 50.

Lady Hermon (North Down) (Ind): As ever, it is lovely to have you in the Chair, Sir Roger. We forgive you, of course.

My youngest sister had bowel cancer. Mercifully, she had an early diagnosis because she had a wonderful GP. The hon. Gentleman mentioned Northern Ireland. In the continued absence of a functioning Northern Ireland Assembly, will he and his colleagues, and colleagues from other parties, please support the very active campaigners in Northern Ireland who, like me, wish to see the screening age for bowel cancer reduced to 50?

Nick Thomas-Symonds: I am pleased to hear the good news that the hon. Lady’s sister was able to recover well. Of course Members across the House should look to support those campaigners. I am in favour of consistency across the UK. One of the great things about devolution is learning from best practice in different parts of the United Kingdom, and people in Northern Ireland absolutely should benefit too.

There are other differences in testing. In England and Scotland, people aged over 75 can obtain a screening test by calling a free bowel cancer helpline. In England, a one-off bowel scope screening is promised for those aged 55, but only around half of areas currently offer that. Will the Minister update us on how progress towards all areas being covered can be sped up?

As I indicated in answer to the hon. Member for Eastbourne, there is cross-party support for reviewing the age at which testing starts. I ask the UK Government and all the devolved Governments to look at and keep under review the age at which screening begins—that is crucial—and the sensitivity of the tests that are used. It seems to me that reducing the screening age, which many Members have pointed out, and increasing the sensitivity of tests are the two uniting themes.

Lilian Greenwood (Nottingham South) (Lab): My hon. Friend is making a powerful argument. Like him, I lost my mother to bowel cancer when she was only 53—an age I am now approaching. Does he have evidence on whether there should be a lower screening age at least for those of us with a family history of bowel cancer, even if the screening programme cannot be extended to everyone under 60 or 55?

Nick Thomas-Symonds: I absolutely agree. Although we all want a blanket reduction in the screening age across the United Kingdom, there are a number of risk factors for bowel cancer, one of which is family history,
and we certainly need to look at having flexibility around the country so that screening can be done earlier where those risk factors are present.

The charities Bowel Cancer UK and Beating Bowel Cancer seek an optimal screening programme for men and women from 50 to 74. They rightly point out the importance of early diagnosis and the real opportunity to reduce the number of people who die from this awful disease.

Julian Sturdy (York Outer) (Con): I pay tribute to the hon. Gentleman for bringing forward this debate at what must be a difficult time for him. My sympathies are with him. A member of my close family—my father-in-law—is suffering from bowel cancer. Thanks to the superb support of the NHS, we hope he is on the road to recovery. That has brought home to me the importance of early diagnosis. I just want to put on the record the fact that I would support the hon. Gentleman on a cross-party basis to ensure that we bring down the screening age and improve testing wherever we can.

Nick Thomas-Symonds: I am sure that all hon. Members would join me in sending their very best wishes to the hon. Gentleman’s father-in-law. I would be grateful if the hon. Gentleman passed those on. I welcome the cross-party support for reducing the screening age. I referred to Bowel Cancer UK, and I should point out that I have been pleased to do a number of runs to raise money for that charity through sponsorship.

I realise that we must deal with two other things to ensure that lowering the screening age and improving the screening process across the UK is effective. First, pathology capacity must be increased, because there will obviously be vastly more samples to deal with. Secondly, we need high-quality colonoscopy capacity to deal with the increased numbers of people referred on for further investigation as more sensitive tests yield further results that need to be checked out.

Liz McInnes (Heywood and Middleton) (Lab): I extend my condolences to the hon. Friend on the sad loss of his mother. I worked in pathology before I became an MP, and I am grateful to him for mentioning it and the increase in capacity that will be required if it is found to be indicated clinically that we need to reduce the screening age to 50.

Nick Thomas-Symonds: I am grateful to the hon. Friend for her sympathy and for bringing her experience to bear on the debate. Such increased capacity will be so important.

That we need to be ambitious on pathology and colonoscopy capacity should not deter us from the ultimate goal, however; I want to see every eligible person across the United Kingdom have access to the best and most effective screening methods, so that we can finally defeat this cancer. Saving lives—giving more families more precious moments with their loved ones—should be the only incentive we need to make progress.

11.21 am

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I congratulate my friend the hon. Member for Torfaen (Nick Thomas-Symonds) on securing the debate. I pay on my condolences, as others have, for his loss just a few months ago. It takes a great deal of bravery to stand up in the House of Commons and talk about the passing of a mother so soon after it happened—I am not sure that I could have done so when it happened to me. As the Minister with responsibility for public health and cancer, I thank him for his interest in this subject and for the support he has shown. He mentioned the runs he has done—I am sure I could not do that—and his support for our excellent bowel cancer charities, Beating Bowel Cancer and Bowel Cancer UK, which recently joined together to become one charity. We await with interest what the new name will be—answers on a postcard to the Department of Health and Social Care.

Let me start by assuring the hon. Gentleman that bowel cancer is a priority for me, the Government and NHS England. That is simply because it affects so many of our constituents—about one in 20—during their lifetimes. It is the fourth most common cancer in the UK and the second leading cause of cancer deaths, with up to 16,000 people sadly losing their lives to the disease each year. If we want to improve on what are the best ever cancer survival figures, we need to do better with bowel cancer and, indeed, with all other cancers. Thankfully, more than 76% of men and women now survive for one year, which is a crucial landmark, and about 60% survive for five years. It is encouraging that survival in those detected and treated following bowel cancer screening is about 97%.

Let me talk about FIT, the subject of our discussion. Rolling out FIT—faecal immunochemical testing for haemoglobin, to give its full title—is recommended in the independent cancer taskforce’s strategy for England. We have much more to do to catch bowel cancer early and achieve better figures, which is why the Government accepted the recommendation of the UK National Screening Committee, which provides the Government with independent, internationally regarded evidence relating to screening, that FIT should replace the current home test. The pilot work showed that FIT will increase by about 7% the proportion of people taking part. Importantly, we expect those communities not returning the current home test kits to show the most interest in using the new ones. That is an important part of England’s cancer strategy. I am sure we will all welcome that contribution to the reduction of inequalities in screening and cancer mortality for those communities.

NHS England, Public Health England and NHS Digital are working together to finalise a number of practical arrangements regarding sensitivity, rightly mentioned by the hon. Gentleman, as well as production and distribution of FIT kits and diagnostic and pathology workforce capacity—I will return to that—to ensure that when FIT is implemented, it is, critically, sustainable.

It was important to get this right first time. When I was appointed last June, I was aware of the issue. One of the first questions I asked was about it, and I am as frustrated as anyone that it has taken so long. However, I am pleased to say that we fully expect that FIT will begin to be rolled out in the autumn. The hon. Gentleman mentioned NHS Wales and next spring and it being great that devolved Administrations follow best practice. Perhaps NHS Wales could follow NHS England’s best practice and bring forward its timetable.
Nick Thomas-Symonds: I am grateful to the Minister for his tone and constructive approach. May I press him for a little more detail? He said that FIT will be introduced in England in the autumn, but when will we get closer to a precise date?

Steve Brine: I cannot give the hon. Gentleman the precise date today, but I know of his and other Members’ interest in the matter, and as soon as I can give that date I will tweet it and tag him. I assure Members that I will let the House know as soon as I have the date, and I have a funny feeling that Members will be watching closely for that.

On lowering the age for screening, many right hon. and hon. Members and their constituents are concerned that the age at which we invite people for bowel screening should be 50 rather than 60. Such concern is sometimes driven by personal experience of the impact of cancer on families as well as on constituents. The hon. Member for Eastbourne (Stephen Lloyd) feels particularly strongly about the issue and has worked on it for a long time—I worked with him a lot during his first iteration as an MP, and it is good to see him in his second chapter. I thank him and his constituent Lauren Backler, who sadly lost her mum to bowel cancer, for personally delivering to my Department last week a petition on the screening age with, as he said, 400,000-plus signatures. I was in my constituency; otherwise, I would have come down and got it myself. I saw him on “ITV News Meridian”, our local news, walking up Victoria Street with the petition. I thank him for that and will take great note of the petition. We will, of course, consider it carefully and respond in due course, but I hope what I will say today will give him some cause for optimism.

When the bowel cancer programme was introduced in 2006, it focused in the first instance on those aged 60 to 69, and then in 2010 it was extended to 70 to 74-year-olds. When we consider that eight in 10 cases are in over-60s, we can understand why that was the starting point, but that does not have to be the end point. It is therefore crucial that the clinician looking at the bowel following a finding of blood in a stool is as skilled an expert as possible, and the NHS has to make sure there is enough clinical capacity to follow up referrals.

The hon. Member for Torfaen rightly mentioned NHS England capacity, which is critical. To boost clinical capacity in the NHS in England, Health Education England has recently pledged to fund the training of 400 clinical endoscopists by 2021, which will significantly increase the endoscopy capacity in England and is a key part of the jigsaw.

This decision to screen from the age of 60 was also based on the fact that, as I have said, the risk of bowel cancer increases with age and people in their 60s are found to be most likely to complete a testing kit. However, that does not have to be the end of the conversation. Therefore, five years ago, in 2013, we started to introduce bowel scope screening for those aged 55. In the research that underpinned that decision, those who took up the offer of a bowel scope test and follow-on treatment reduced their chances of dying from bowel cancer by more than 40%. Those are good stats. Now, with the introduction of FIT, we have an important, evidence-supported opportunity to consider the totality of the bowel cancer screening programme and maximise the benefits of bowel cancer screening.

Nick Thomas-Symonds: One of the issues with the scope test is its geographical spread: as I understand it, at the moment only about half of England is covered. First, will the Minister comment on when it will be extended? Secondly, I would welcome his commitment to reviewing screening in its totality.

Steve Brine: I will indeed ask the question that the hon. Gentleman raises about geographical spread. It is a key point.

I am pleased to say that the UK National Screening Committee is now considering how to optimise bowel cancer screening using those two evidence-based testing methods, namely bowel scope screening and FIT. It will advise on the optimal strategy—the hon. Gentleman rightly used that term—for England, this summer. To inform that advice, it ran a consultation, which ended on 9 April. That focused on whether the current evidence supports a change to the current tests approved for use in bowel screening programmes. In particular, it considered whether an optimal bowel screening programme should use both BSS and FIT. Both those screening methods require significant numbers of highly trained people and significant amounts of hospital resources in the NHS. With the introduction of FIT, it is therefore timely to carry out further work to decide the best combination of tests for the English programme; that includes the issue of sensitivity. I know that there is a lot of debate in the clinical community about the range and the number of people affected. We must get that right.

I am pleased that as part of its deliberations, UKNSC will also consider the most appropriate age at which FIT screening will start. It would be wrong of me, however, to pre-empt its recommendations or, as the hon. Member for Eastbourne said, to announce an exclusive from Westminster Hall. However, it is being considered and Ministers, including the Secretary of State, take a close interest. That is as clear as I can be. We are clear that recommendations must be achievable, so the availability of high-quality follow-on tests—colonoscopy and pathology—will be central to ensuring that we can turn the benefits of a better test into thousands fewer people getting and dying from bowel cancer. I am asking NHS England to consider that carefully. It knows of my clear interest in the matter.

I am thankful that survival rates are improving year on year, with about 60% of bowel cancer patients now surviving for five years or more, compared with about 25% 40 years ago. That is a significant change. As hon. Members have said, early diagnosis is vital—for all cancers, but certainly for bowel cancer—which is why the independent cancer taskforce included driving a national ambition to achieve earlier diagnosis among its six strategic priorities in the cancer strategy for England, which I am passionate about implementing. We remain on track to deliver that priority and to deliver every one of the 96 recommendations in the strategy by 2021. We are, of course, thinking about post-2021 as part of the long-term vision for the NHS, which the Prime Minister spoke about at the Liaison Committee recently.

We hope that the introduction of FIT as the primary test in the bowel cancer screening programme later this year will further enhance the drive towards early diagnosis and ensure that we catch more cases of bowel cancer early and allow for better treatment outcomes.
Lady Hermon: Northern Ireland has not had a Health Minister since January 2017. It would be enormously encouraging if the Minister would confirm that he has spoken to the permanent secretary for the Northern Ireland Department of Health about introducing the FIT technology in Northern Ireland, which is a part of the United Kingdom.

Steve Brine: I personally have not, but I will do so, as a takeaway from this debate. The hon. Member for Strangford (Jim Shannon), who is no longer in his place, has made the same point to me in other contexts. I shall speak to my officials and make sure that happens. I will keep the hon. Lady informed.

I have mentioned the bowel cancer charities. I have a regular roundtable with all the cancer charities—it is one of the great privileges of my position. They have worked on the narrative of needing, as they put it, to talk about poo. When mainstream drive time presenters talk, as they did on BBC Radio 5 Live last week, about looking at poo and “taking a look back” as the presenter put it, it shows how far we have come. Breaking down barriers and Members talking about their experience is important, as is the way in which charities approach the subject. We look forward to seeing what the new combined narrative and culture, in addition to the Government’s work with NHS England to change the testing regime and the other issues I have mentioned. The battle is long, as it always is with cancer, but with the support of “Team Cancer”, in which I count all hon. Members present, I think we are winning.

Question put and agreed to.

11.35 am

Sitting suspended.
subject. It is important to put that on the record, because we know why he is here. I have apologised to him, and I apologise to you, Mr Streeter, because I cannot stay. I have a meeting with a Minister at 3 o’clock, so unfortunately I cannot make the contribution that I would have liked to have made. I am sure that the Minister is disappointed, but none the less he will hear from me again in the near future.

Is the hon. Member for Basildon and Billericay (Mr Baron) aware that the target for 95% of patients with an urgent referral to wait no longer than 62 days for first treatment has not been met at all in the past year and, further, that the target for 98% of patients to receive first treatment within 31 days of a cancer diagnosis has also not been met in any of the last four quarters? Does he share my concern and, I am sure, that of the Minister?

Mr Baron: I thank the hon. Gentleman for his kind words. I am aware of those statistics, and I will come to the 62-day target specifically later in my address. He is right to say that many CCGs and cancer alliances are not close to achieving many of those targets. That is obviously a problem when treating cancer, but it highlights a bigger issue: we should be focusing on outcome indicators rather than process targets as a means of encouraging earlier diagnosis. I will address his point specifically in a moment.

We tried very hard to get the one-year survival rates into the DNA of the NHS. The Government listened, and we now have CCGs being held accountable for their one-year survival rates, which is good news. The logic is simple: earlier diagnosis makes for better survival rates, so by holding CCGs to account for their one-year figures and, in particular, the actual outcomes, we encourage the NHS to promote earlier diagnosis and therefore improve detection.

A key advantage of focusing on outcome measures is that it gives the local NHS the flexibility to design initiatives tailored to their own populations to improve outcomes. CCGs can therefore choose whether to widen screening programmes, promote better awareness of symptoms, establish better diagnostic capabilities in primary care, embrace better technology or perhaps improve GP referral routes—or all of those, in combination—to try to promote earlier diagnosis, which in turn will improve the one-year cancer survival rate figures.

Rather than the centre imposing a one-size-fits-all policy, the local NHS has been given the freedom to respond to and focus on local priorities, whether that be lung cancer in the case of former mining communities or persuading reticent populations to attend screening appointments. As an all-party group we try to do our bit. Each summer, the group hosts a parliamentary reception to celebrate with the 20 or so CCGs that have most improved their one-year survival rates. Successive cancer Ministers have supported that in the past, including the incumbent.

There is strong evidence, however, that that outcome indicator is being sidelined by hard-pressed CCG managers, who are focused on those process targets that are connected to funding. If the process targets are missed, there is a cost; if the one-year figures are missed, there is not. In recent decades, the NHS has been beset by numerous process targets that, instead of measuring the success of treatment, measure the performance against process benchmarks, such as A&E waiting times.

Mr Jim Cunningham (Coventry South) (Lab): I pay tribute to the hon. Gentleman, because I know he has a strong interest in this issue for a number of reasons—as we all have, because cancer in one form or another touches nearly every family in Britain. I agree with him that it is the outcomes that matter, not the input. I wonder whether the targets are in the wrong place; I may be wrong, and the hon. Gentleman knows more about it than I do, but I think he has made an important point. The problem seems to be how to get the NHS to implement that.

Mr Baron: I completely agree. The problem as I understand it is that, according to the House of Commons Library, there are something like nine process targets focused on cancer alone. Briefly, it is an inconvenient truth that, if we look back over the past 20 or 30 years, we will see that the NHS has been beset by process targets from both sides and for the best of reasons. The bottom line is that we have not caught up with international averages in any meaningful way over those 20 to 30 years, so we must start to question the efficacy of those process targets when what we are trying to do is to improve survival rates. If we get the NHS focused on one-year survival rates, it should look at the journey as a whole, not just a small part of it, in trying to promote initiatives to encourage earlier diagnosis, which at the end of the day is what we all have to do if we are to improve survival rates.

Karen Lee (Lincoln) (Lab): I am the mother of somebody who died of breast cancer and I would argue that this is about the lived experience. It is not just about survival; it is also about the journey—getting there. If care is not adequate or good enough along the way, whether somebody survives or not—well, it is better to survive, of course, but I would argue that this is absolutely about the journey. Targets are meaningless if they are not about people and their lived experience.

Mr Baron: I completely agree. My worry about targets is that they focus on a very small, specific part of the journey when we should be talking about the journey as a whole. What I have not mentioned so far is that it was not just the one-year figures but the five-year figures that we were arguing for. We have to take a longer view of the journey in order to ensure that we take into account all aspects of it, including the support, the surround sound—the way of living—and so on. We have to ensure that those who survive receive enough support, but my central point is that if we really are intent on encouraging earlier diagnosis, the process targets have been too blunt a weapon. We all love them. Politicians love them. Both sides love them, and the Opposition can hit the Government with them if they are missed. It is a short-term approach. In reality, they have not improved survival rates to the point where we are catching up with international averages, and that is the key problem.

Dr Philippa Whitford (Central Ayrshire) (SNP): I echo the hon. Gentleman’s concern about process targets being just waiting times, particularly when we know
that the wait for a patient to get up the courage even to go to see their GP will often be much longer than the wait on the pathway. Does he share my concern about not having a focus on the clinical evidence of what treatment should be? My concern about leaving everything to CCGs to decide is that we are not then sharing what we know to be the best way to treat any particular cancer. We need clinical standards that are also measured.

Mr Baron: I have a lot of sympathy for what the hon. Lady says, and that is why I think that cancer alliances have a decent role to play. They can take more of an overview and more responsibility for ensuring that best practice spreads and is learned from, but they can also take more of a role when it comes to clinical evidence in relation to treating cancer. My suggestion to the hon. Lady is this: if we get the NHS properly focused on improving its one-year figures and, therefore, its five-year figures, it will come closer to embracing the journey as a whole and coming up with initiatives, particularly at primary care level, that are designed to encourage earlier diagnosis. I fully accept that that is not the only answer—it is about supporting people and so on—but at the end of the day we are using blunt weapons to try to improve cancer survival rates, and the evidence clearly shows that we are not succeeding.

I will make some progress, but I will be happy to take more interventions later. In recent decades, the NHS has been beset by numerous process targets, as we have just discussed. Those have a role to play. It would be too revolutionary for me to stand here and say that we should discard them all and just bring in the one-year figures. I think that that would be too much for the NHS to grasp, but I do believe that process targets are too blunt a weapon. They offer information without context and, in my view, can hinder rather than help access to good treatment, especially when financial flows are linked to process targets, which has been the hallmark of our NHS since 1997. What is more, those targets, being very ambitious, have a tendency not to be met—a point made by the hon. Member for Strangford (Jim Shannon)—except in the very best of circumstances. They can easily become, as I have suggested, a political football between parties eager to score short-term points when in reality a longer-term approach is required. All sides are guilty of that.

Cancer has been no stranger to process targets. As I have mentioned, the House of Commons Library suggests that no fewer than nine process targets currently apply to cancer, most notably the two-week wait to see a specialist after a referral and the 62-day wait from urgent referral to first definitive treatment. Process targets, as I have suggested, can pose a particular problem when the NHS’s performance against them is used as a metric to control financial flows, which tends to skew medical priorities. Such targets are only part of the journey when trying to improve one-year survival rates, yet CCGs, although held accountable for outcome measures, in practice follow process targets, because they are the key to unlocking extra funds. That is one of the key issues that we need to explore further in the years ahead. I am talking about the fact that process targets account for only part of the journey when we need a longer-term view.

I also suggest that process targets are not the best means of helping when it comes to rarer and less survivable cancers, which for too long have been the poor cousins in the cancer community. Rarer and less survivable cancers often fall between the cracks of process targets. Data on those cancers is not used routinely in much of the NHS. That encourages the NHS to go for the low-hanging fruit of the major cancers. That has to change. Given that rarer cancers account for more than half of cancer cases, serious improvements in cancer survival will not be possible unless rarer and less survivable cancers are included. Outcome measures have the advantage of encouraging their inclusion when seeking to catch up with average international survival rates.

The all-party group’s most recent report, launched at the Britain Against Cancer conference in December, highlighted an example of how process targets can act against patients. In 2016, as I think all hon. Members in the Chamber will be aware, NHS England announced £200 million of transformation funding, intended to help the newly formed cancer alliances to achieve the standards set out in the five-year cancer strategy to 2020, and bids were invited. This should be straightforward. An extra £200 million is coming in and is being handed over by the Government to NHS England. The money should be going where it is most needed—to help cancer services at the front-line to deliver on the cancer strategy.

However, after the bidding process closed, a requirement for good performance against the 62-day target was introduced retrospectively. That was after the deadline—by some weeks, if not months. It resulted in multiple problems at the frontline. We heard in effect a cry for help from those at the frontline of our cancer services. Our December report, as the Minister will be fully aware, called for a breaking of the link between the 62-day target and access to the transformation funds. Let us break that link and get the transformation funding down to the frontline, where it is needed to help to implement the cancer strategy.

It is an iniquitous situation, as the conditionality on process targets prior to funding release means that high-performing alliances receive even more money, while those that are struggling and could therefore most benefit from the extra investment do not receive the extra support. That is against the whole spirit of transformation funding.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate my hon. Friend on securing the debate and thank him for all that he has done to raise these important issues consistently during his time in the House. I, too, must leave a little before the end of the debate, so please accept my apologies, Mr Streeter. With regard to funding, notwithstanding the fund that my hon. Friend has mentioned, NHS core funding often tends to be diverted to prop up the acute sector...
during winter crises; that happens year after year. We are now missing cancer targets, whatever we think of them—they have ceased to be meaningful to many trusts at local level. Does he therefore agree that, if we are to make a difference, we must ensure that more of the money from the core NHS budget goes to community services and cancer services?

Mr Baron: I broadly agree. Although a system as big as the NHS must always be able to respond to short-term emergencies, such as the winter crisis, longer-term thinking is needed to address key issues such as cancer survival. At the moment we have an absence of long-term thinking, let alone long-term funding, which is harming patients to the extent that we are not focusing on outcomes. In 2009 the then Department of Health’s own figures showed that 10,000 lives were needlessly lost because we were not meeting European averages for survival rates. I agree that we need longer-term thinking, and that is where outcome indicators, such as one-year and five-year cancer survival rates, would encourage not just long-term thinking, but long-term funding.

Karen Lee: That is a problem right across the NHS. We need to take the NHS out of the political arena. The absolute bottom line is that we need a proper, long-term strategy.

Mr Baron: I thank the hon. Lady for her support. I have been non-partisan on this matter, as I have been as chairman of the all-party group. Both sides have been guilty of trying to score political points on the back of process targets, because no Government have met them all in their entirety; we play this short-term political game when in reality what we need to do is, as best as possible, take the NHS out of politics and encourage long-term thinking. The best approach, at least with regard to cancer, would be to get the NHS to focus on those one-year and five-year survival rates. We could then stand back and say, “You are the medical experts and we are the politicians. We will hold you accountable, but use your expertise now to come up with the best plans to improve your one-year and five-year figures.” That would certainly encourage longer-term thinking and funding.

I am conscious that other hon. Members want to contribute, so I will not bore everyone with the ins and outs of the all-party group’s efforts to encourage the Government to break the link between the 62 days and the transformation funding, because discussions are still ongoing. However, I will share with the House the fact that I raised the issue at Prime Minister’s questions back in December. During a positive subsequent meeting in March, the Prime Minister agreed that all transformation funding should be released immediately, provided that relevant cancer alliances promised to produce a 62-day plan—the promise is the important thing; they did not have to produce them.

I am now in discussions with officials from No. 10 and the DHSC, because the system has been slow in following through what was agreed at that meeting. Following my further question at Prime Minister’s questions last Wednesday, the Prime Minister has agreed to meet me again, should we continue to make insufficient progress. Negotiations are now in train and I hope that we can get the funding released as quickly as possible, without waiting for the alliances to actually hit the 62-day target. The Prime Minister clearly said that she wants the transformation funding released on the promise that they will produce a plan to hit the 62-day target.

In the long term, the NHS needs to rebalance its focus away from process targets in favour of outcome indicators, such as the one-year cancer survival rates, that best help patients. If outcome measures are good and being hit, it follows that the processes will also be good; one cannot have good outcomes if there are not good processes. Patients will be seen and diagnosed in a timely fashion appropriate to their illness. These outcome measures will also have the benefit of allowing the NHS to design services and pathways flexibly, and without the straitjacket imposed by blunt process targets. That is the key issue here: focusing on the outcomes encourages the NHS at the frontline to devise ways of encouraging earlier diagnosis, including better awareness campaigns, wider screening uptake, better GP referral routes and better diagnostics. The NHS is encouraged to make those decisions at the frontline in order to drive forward earlier diagnosis.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Gentleman on securing the debate and on the excellent work that he has done, not only with the all-party parliamentary group, but on a wide range of events over recent years. On the transformative nature of events, does he agree that we need to see international best practice, which he alluded to earlier, employed in the United Kingdom to ensure that cancer sufferers here, and their friends and families, can see the benefits?

Mr Baron: I completely agree. Our inquiry into cancer inequalities in 2009 found that the NHS is as good as any other healthcare system internationally, if not better, at treating cancer once it is detected; the problem is that we do not detect it early enough and we never catch up. The line of international averages compared with UK averages shows that we are always behind, and there is little evidence that we are catching up. We get behind at the early one-year point, because we are not diagnosing as early as other healthcare systems, and no matter how good our treatment, we do not catch up. That is how we are losing those tens of thousands of lives, because we are not matching the European averages for survival rates.

Paul Girvan (South Antrim) (DUP): Having been through treatment in the past, I appreciate that early diagnosis can, if dealt with correctly, save an absolute fortune. Everyone has heard the saying, “A stitch in time saves nine.” Unfortunately, leaving it too late, rather than intervening early, and having to treat the symptoms as they progress costs the health system a lot more money.

Mr Baron: I completely agree. I have not mentioned that aspect, because I have been focusing on patients, but the hon. Gentleman is absolutely right. If we were to diagnose earlier, the NHS could save a lot of money. We all know that, by and large, the more invasive the treatment, the more costly. Given how large the NHS is, too few health economists are trying to quantify this. When I ask my local CCG or cancer alliance, they do not know the cost savings associated with earlier diagnosis. That is a great shame.
Dr Poulter: My hon. Friend makes a good point. When we talk about quality-adjusted life years—there are other measures of the cost-benefits and cost-efficiency of treatments—it seems extraordinary that a more holistic view is not taken, particularly looking at quality-of-life indicators in cancer treatment. I am sure that he will want to press the Minister on that.

Mr Baron: I am sure that the Minister has taken that on board and I look forward to his comments. It goes without saying that the earlier we diagnose, the more money we save, which could then be ploughed back into frontline cancer services. We need to try to quantify that, and we are nowhere close to doing that at the moment.

That is why, in conclusion, I come back to the point that we need to take a longer-term view on our plans for cancer care—longer-term funding and thinking. Process targets actually act against that, because the focus is on specific issues, which can skew priorities, particularly when they are associated with funding. In the end, that has proven not to be in the best interests of patients, given our failure to catch up with international averages. Outcome measures retain the focus on accountability, which quite rightly governs our health service. They provide the best of both worlds: they encourage long-term thinking and long-term funding, while at the same time we as politicians rightly have to hold the NHS accountable. We are talking about £115 billion to £120 billion of taxpayers’ money. We have to ensure that there is the element of accountability in the system, but that is where outcome indicators could be very helpful.

One cannot cover everything in a debate such as this. I am glad that the HPV issue will be given a proper airing in tomorrow’s debate. I think that the vaccine should be extended to boys. I also think that the big issue of prevention is important. Healthier lifestyles make for lower cancer risks, but this specific debate is about targets. It has been a helpful debate and I thank everyone for their interventions. I look forward to other contributions and to the Minister’s comments at the conclusion.

3 pm

Karen Lee (Lincoln) (Lab): I do not want to repeat a lot of what the hon. Member for Basildon and Billericay (Mr Baron) has said because he has already said some of what I was going to say. I am here because when I was elected I was asked by Breast Cancer Now to be an ambassador and I readily agreed. I will highlight a few things on its behalf.

Breast Cancer Now says that although some CCGs meet diagnosis and detection targets, there are national geographical inequalities in the provision of care, and diagnosis and detection are taking priority over treatment for secondary breast cancer, which is an issue.

Transformation funding has been mentioned, and Breast Cancer Now feels that such funding must be decoupled from waiting time targets immediately.

My CCG is failing to hit the targets, which means it does not get the funding. If it is failing to meet the targets, how will withholding the money make things any better? I want the Government to tell us how that makes things any better. I understand about targets and measures, but how does not giving CCGs money to treat people properly make things any better?

NHS cancer targets have tended to focus on early detection and diagnosis, which means there is less focus and resource allocated to supporting people after they have finished treatment and are living with secondary cancers. One in four people find that the end of their treatment is the hardest part and they do not always have access to a clinical nurse specialist. My daughter did not. Things moved fast for my daughter. She was diagnosed and died within 13 months. She was just 35 and she left a husband and three children behind. To get her back into hospital was an absolute nightmare. I knew all the right things to say to get her into hospital and I finally managed it, but the support was not there. People try and do their best, but the support was not right and it was not good enough. The treatment for secondary breast cancer is not good enough and that really needs to be looked at.

Every cancer patient coming to the end of their treatment should have a recovery package. A clearer picture of progress on the availability of health and wellbeing events for people living with and beyond breast cancer across England is urgently needed. The Government, as the agency that ultimately decides how our NHS is run, must deliver on that and answer for that.

I was asked to mention the collection of data and access to clinical nurse specialists, because there has been no progress. Breast Cancer Care’s 2015 research showed that only a third of NHS trusts were collecting full data on secondary breast cancer, and three-quarters of NHS trusts and health boards say there is not enough specialist nursing care available. People with secondary breast cancer feel they are second rate. Lynsey used to say that. She said, “It was all right, Mum, when I was having chemo and radiotherapy and everybody was buzzing round me, but now there is nothing. There is no support at all.”

I spoke on Breast Cancer Now’s 2050 vision in Parliament a couple of months ago. If we all act now, by 2050 everybody who develops breast cancer will live, and I really hope that that happens.

Mr Baron: The first point that the hon. Lady made about the iniquitous position that many CCGs now find themselves in is a strong one. The Government have given transformation funding of £200 million to NHS England, but a lot of it is sitting there when it is desperately needed, particularly by those that need to do a lot of catching up. It was not meant to be withheld in such a fashion. It is iniquitous also that the 62 days was retrospectively applied.

Mr Gary Streeter (in the Chair): The hon. Lady spoke most powerfully.

3.4 pm

Nic Dakin (Scunthorpe) (Lab): It is a real pleasure to serve under your chairmanship, Mr Streeter. I congratulate the hon. Member for Basildon and Billericay (Mr Baron) on securing this debate. It is a good opportunity for us in this House to recognise the excellent work and service that he has given in leading the all-party group over nine years. I am pleased that he is still in post. I suspect he will continue to serve the cancer community for ever, so we are grateful for that. I pay tribute to the courageous personal testament of my hon. Friend the Member for
Lincoln (Karen Lee) and her role as a breast cancer champion, particularly in highlighting the need to do better on secondary breast cancer, which everybody wants us to deal with much better.

For all but one month since April 2014, the 62-day target for patients to have received their first treatment since initial referral has been missed, and 81 trusts failed to meet the 85% target last year. When we do not meet targets, we let patients down in one way or another. As has been said, the target is not perfect. It does, however, set our sights on what we are trying to achieve: securing treatments, reducing waiting lists and improving outcomes. The target is important because it helps to measure the patient pathway. It gives us a better understanding of what patients are going through and offers the opportunity to prevent unnecessarily long waits.

Waiting can be a very anxious time. While treatment is on hold, life carries on. Bills still need to be paid, the kids still need picking up from school and jobs still need to be done. Life does not stop, and cancer does not stop, so it is important that we have the 62-day target. It performs a function, but it is not everything. As the hon. Member for Basildon and Billericay has said, we need to move to outcome measures such as the one-year survival rate, or indeed the five-year survival rate. He spoke most eloquently about how that has the potential to change behaviours in a positive way. However, unless we have targets, we do not know how they impact on behaviours; they are always imperfect, but they are useful measures.

As the all-party group’s December report said, we need to break the link between the 62-day performance target and access to transformation funds. As the exchange between my hon. Friend the Member for Lincoln and the hon. Member for Basildon and Billericay demonstrates, unfortunately that can have iniquitous consequences and the areas that most need support get least support. Of course, the support needs to go where it can be most effective. I think we all have confidence in the Minister. Like many other people who work to help tackle cancer up and down the land and for whom we can have only the greatest admiration, he is fighting every day to try to make things better for cancer patients, cancer survivors and their families.

As the hon. Member for Basildon and Billericay has said, early diagnosis is the key. It is the magic wand, the holy grail, the silver button, but if it was easy to achieve it would have been achieved by now. Rarer cancers make up more than 50% of cancer cases, so we need to provide transformation funding for cancer alliances so that it can help drive early diagnosis and achieve NHS targets. It is crucial that the less survivable cancers benefit from allocation of transformation funding. The funding must continue to be used to tackle hard-to-treat cancers such as pancreatic cancer. I speak as chair of the all-party group on pancreatic cancer. It has the lowest survival rates of the 20 most common cancers. Its one-year survival rate is sadly still 24%, far behind the 75% one-year survival target set in the cancer strategy. So there is still a long way to go and we know that it is a massive challenge. Things are moving in the right direction, and we are right to be impatient, but we need to use our patience to help us to work with the Government to bring about the positive changes we all want.
for Basildon and Billericay, the chair of the all-party group, said about the HPV vaccine. It seems like an opportunity for prevention, which is always better than cure, particularly if it is reasonably cost-effective, as I believe that vaccine is. There are opportunities to raise awareness, such as the Be Clear on Cancer campaign on difficult abdominal pains, which was piloted in the west midlands. Such things help to increase patient and GP awareness, and the chance that people will go to their GP at the right time and get an assessment. That can drive them into early diagnosis, so that things can be moved forward. Such things, which I know the Minister is keen on, are opportunities that can help, and are to be applauded and encouraged.

It is estimated that by 2020 2.4 million people in England will have had a cancer diagnosis at some point in their lives. We cannot let them down. Our job is to do the best by them. We need to do the best with the 62-day target, but also to continue the debate on whether process targets take us where we need to be or whether we should look more carefully at outcome targets. We need to do the best with the 62-day target, but also to continue the debate on whether the best by them. We need to do the best with the 62-day target, but also to continue the debate on whether process targets take us where we need to be or whether we should look more carefully at outcome targets. We must use whatever means we can to improve early diagnosis, and do all we can to support patients from the day they receive the news no one wants to hear to the day they receive the all clear. If we achieve those things, not only will we improve the NHS but we will save hundreds of lives every day of the year.

3.16 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): I declare an interest; I was for 30 years a breast cancer surgeon, and I am co-chair of the all-party parliamentary group on breast cancer. Cancer affects one in three people in the United Kingdom at this point, but that is expected to rise to one in two for the population born after 1960. Part of the reason for that is that we live longer, and unfortunately still have not improved our lifestyles to a significant degree. In particular, we all know about smoking and cancer, but we should also be aware that obesity is the second most common driver of cancer, and is increasing.

The hon. Member for Basildon and Billericay (Mr Baron) spoke about process targets—particularly on waiting times. I remember when the cancer-specific waiting times came in, in Scotland, and I welcomed them. Before that, there was only the standard waiting time of 18 weeks. If a manager was told, “We are struggling to keep up with breast cancer,” but the 18 weeks had not been exceeded, there was no interest. That is the problem with any target; once a target is set, anything that is not subject to a target starts to be neglected. We welcomed targets at first. As the hon. Gentleman mentioned, the 31-day target is either being met, or is close to being met, because once people are diagnosed, all four NHSS switch into high gear and manage to treat people within the 31 days.

The problem is that that is only a little bit of the journey. The 62 days are meant to cover the time from seeing the GP to the referral to the clinic, from the clinic to the diagnosis, from the diagnosis to discussion and planning and a multidisciplinary team meeting, and from that point to the first treatment. If we look into it, the delay is often between being seen in the clinic and the diagnosis. With breast cancer we luckily tend to meet the 62-day target at around 95%, because our clinics are largely one stop. The patient usually gets all the tests on one day. However, in England the 62-day figure is below 83%, even though the 31-day figure is over 97%, and we can see how big the fall is, in trying to get people diagnosed. There is a huge workforce challenge in radiology, and in breast cancer a cliff edge is coming, because the generation who were appointed when screening started in 1991 are all retiring right now, and that is a real issue.

As I said earlier, in an intervention, it is not just a question of the time on the pathway; the biggest delay is getting people to go to see their GP. We need to get rid of the fear, embarrassment and stigma, particularly when a more embarrassing part of the body is involved.

We all run projects such as, in Scotland, Detect Cancer Early, and in England, Be Clear on Cancer, but it is important that such campaigns bubble along, rather than become intense. People need to see those adverts when it is in the back of their head that, yes, perhaps their bowel habits have changed, there is blood in their urine, or they find a lump. If that happened six months ago, it is no use. When we ran our first Detect Cancer Early campaign in Scotland with the comedian Elaine C. Smith, it was very humorous and well picked up. We got a 50% increase in people referred to breast clinics, in there was no significant difficulty in achieving those things, not only will we improve the NHS but we will save hundreds of lives every day of the year.
In 2000, what is now called Healthcare Improvement Scotland developed clinical cancer standards for the four common cancers. I had the honour to lead on the development of breast cancer standards, and I led that project until 2011. We are now on the fifth iteration of our standards, and they have been slimmed down. We have moved from looking at four cancers in 2002, to 11 cancers in 2012, and now 18 cancers have detailed clinical targets for which they are audited, and for which peer review takes place. We do not set league tables, but we set standards that every unit can aim to pass. There is no point in being told, “The best unit is 500 miles away”; people want their local unit to be good.

The first two standards in our quality performance indicators state that every patient with breast cancer must be discussed at a multidisciplinary team meeting, and that patients must be diagnosed non-operatively by needle biopsy. When I started in my unit in the mid-1990s, our pre-op diagnosis rate was about 40%; it is now about 98%. If those two standards had been in place in England, the rogue surgeon Ian Paterson might have been picked up earlier. We now know that he tended to make his own treatment decisions, and he operated on women without proof of cancer. Obviously, the standards cover all sorts of things, including surgery, diagnosis, chemo and radiotherapy. Data are collected at the MDT meeting with a member of audit staff present. That means that they can capture evidence of recurrence and patients who develop metastatic disease, and everyone on the team is aware that that has happened.

To respond to the point raised by the hon. Member for Lincoln (Karen Lee), my unit discussed whether we would have separate cancer nurse specialists for those with recurrent or secondary disease, or whether it would be better if the original nurse followed the patient through, and that is what we went for—our nurses work between the surgical clinic and oncology, so that people see a face they already know. Having done it for years, I know that breaking bad news a second time is infinitely worse than breaking it the first time.

In England there are screening data from breast cancer and guidelines from the National Institute for Health and Care Excellence. There are, however, no audit data that are peer-reviewed and compared. We get no financial reward for improvement in our targets. Money is not part of it; it is simple clinical pride, and a wee touch of competitiveness. In Scotland we meet every year in the breast cancer service, and our data are put up. That is open and public; people can look for any of our reports on the internet, and they will see all the details about the numbers of patients treated and what has been achieved. Peer review and peer pressure is a great way to drive up quality.

The hon. Member for Basildon and Billericay mentioned early diagnosis and the need for one-year outcome figures, but spending all the money to gain another couple of per cent in a waiting time is not necessarily the best way to go. A comparison was made between breast cancer treatment in the UK and in Denmark, and because of screening—the UK was one of the earliest nations to pick up breast screening as a population screening—we have a higher percentage of patients diagnosed at stage 1 than Denmark. We do not, however, have a better survival rate because we have very slow access to new drugs. It takes new, expensive cancer drugs three or five years to get into common use. Yes, if someone is diagnosed early they might not need those drugs, but if they are unlucky enough to have a really nasty, aggressive cancer, they may end up fighting to get them.

Mr Baron: For a whole host of reasons mentioned by the hon. Lady, one area that perhaps shows promise in improving early diagnosis is breast cancer. In general, however, we fall behind international averages at that one-year point. The whole point of focusing the NHS on one-year survival rates, and encouraging it to improve those rates, is to send a message down the line and encourage early diagnosis across the whole panoply of primary care services, including improving screening rates and participation.

Dr Whitford: I totally agree. People who have died before one year—that is, in essence, what is being measured by our one-year survival rate—are largely those who presented with an advanced or incredibly aggressive disease. We are measuring people for whom we did not have a treatment, rather than just early diagnosis, and we will see that much more in the five-year figures. I am not saying that we should not have those measurements, but if a clinician is just being told, “You have to get better one-year figures,” should they take a bigger margin? Do they use this chemo or that one? They need guidance on what evidence shows will provide better one-year figures.

On prevention, there has been a drop of more than 17% in men with lung cancer, because of the fall in smoking in men. Unfortunately, there has been a rise in lung cancer in women. There has also been a rise in malignant melanoma in men, because they are catching up with women in the use of sunbeds and overseas holidays. We still have a long way to go simply to try to prevent cancer, because the gold standard is not getting it in the first place. As I have said, obesity is the second most common cause of cancer. We do not need strategies that are just for cancer. We need health in all policies to try to make people healthier, and that way we will reduce the number of people who are suffering from cancer.

3.29 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate the hon. Member for Basildon and Billericay (Mr Baron) on securing the debate and on his considered and balanced speech. As chair of the all-party parliamentary group on cancer, he commands a great deal of respect on both sides of the House for his commitment to improving the way we deal with cancer, as has been reflected in the tributes paid to him by hon. Members. I also pay tribute to my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson), the shadow Public Health Minister. She contributes a huge amount through her work as co-chair of the APPG on breast cancer and as chair of the APPG on ovarian cancer, and through her involvement with countless other organisations. Were it not for a long-standing, important commitment, she would be responding to the debate.
We have heard several contributions. My hon. Friend the Member for Lincoln (Karen Lee) spoke movingly from personal experience about the difficulty of getting the right care for her daughter. She described feeling a lack of support when the condition moved away from traditional treatments. I hope that her time in the House and her experiences will enable an improvement in the treatment experience of patients, particularly those suffering from secondary breast cancer. She made an important point about the geographical inequalities in treatment for secondary breast cancer. She also said that the transformation funding should be decoupled from the targets, as did most other hon. Members. The hon. Member for Basildon and Billericay talked about retrospective conditionality, which neatly highlights the absurdity of the situation.

I pay tribute to my hon. Friend. Friend the Member for Scunthorpe (Nic Dakin) for his work on the APPG on pancreatic cancer. He spoke in defence of the 62-day target and set out very well why it is important, not just for measuring some elements of performance, but because the wait between first being suspected of a condition and receiving treatment is probably the most anxious time for a patient. He also said that the link between the 62-day target and access to the transformation fund should be broken, and that funding should be available for conditions that are harder to treat, such as pancreatic cancer. He spoke in some detail about the fast-track surgery pathway. I am pleased to hear that the NICE guidelines have been amended to reflect the success of that initiative, but it was disappointing to hear about the funding difficulties and the fact that it has not yet been rolled out to other areas of the country.

As all hon. Members have said, cancer is a difficult subject to talk about. It touches all our lives in some way. One in two people will be affected by cancer at some point in their lifetime. Every two minutes, someone in this country is diagnosed with cancer. It is right that the tone of the debate has been about trying to do the best we can to improve outcomes for people touched by cancer.

As has been said, there has been a steady and welcome improvement in cancer survival rates in this country, which can partly be attributed to considerable improvements in early diagnosis, but the sad and inconvenient truth is that we still lag far behind our European counterparts, as the hon. Member for Basildon and Billericay said. Five-year survival rates in the UK are far behind European averages in nine out of 10 cancers. Of the five largest EU countries, we have the highest mortality rates and the lowest survival rates. It is estimated that up to 10,000 deaths a year in England could be attributed to lower survival rates compared with those in the best-performing countries. The OECD has said that our survival rates for certain types of cancer are near the bottom of the table. Several hon. Members made the point that although we have improved, other countries have progressed at a similar rate, so our relative performance is still a considerable challenge.

There is an international element, but there is also a local one within England. If all clinical commissioning groups were able to achieve the level of early diagnosis in lung cancer that the best CCGs manage, 52,000 people would be diagnosed earlier, which could save lives. The introduction of the CCG dashboard has helped to raise the visibility of such issues and, as the hon. Member for Basildon and Billericay said, the flexibility afforded to CCGs has enabled them to adjust their approach and take account of local priorities.

The hon. Gentleman was right to express the concern that process targets can have funding consequences, which sometimes have a distorting effect on priorities. My hon. Friend the Member for Scunthorpe raised an important issue about the applicability of blood cancers to the CCG dashboard.

We all agree that the most important element of any cancer treatment is time; as hon. Members have said, it is key to a successful outcome. It is generally agreed to be the single most important reason for lower survival rates in England, so it is vital that we do better not only on early diagnosis, but on prevention and awareness. The hon. Member for Central Ayrshire (Dr Whitford) spoke well about the challenge we face in encouraging people to go and see their GP as soon as symptoms present.

That is why it is vital that early diagnosis continues to be a priority. As the hon. Member for Basildon and Billericay said, we should take a wider view about longer-term survival rates. We know that 35% of lung cancer patients are diagnosed only after presenting as an emergency, and one in 20 are not diagnosed until after they have died. The Right to Castle Lung Cancer Foundation found that if a person is treated early, their chance of surviving for five years or more is up to 73%, but the current five-year survival rate is only 10%. For ovarian cancer, the National Cancer Registration and Analysis Service found that more than 25% of women are diagnosed through an emergency presentation. Of those, just 45% will go on to live for a year or more, compared with more than 80% of women who survive beyond a year if they are diagnosed following a referral from their GP.

We also know that once patients have been diagnosed, they have an agonising wait for treatment, as my hon. Friend the Member for Scunthorpe said. The 62-day target has now been met only once in the last four years since January 2014, and more than 100,000 people have had to wait longer than two months for their treatment to start. Although we are talking about some of the merits of those targets, it is important to ask the Minister if he can update us about the steps that are being taken to meet them in future.

One of the key elements in meeting those targets is having an adequately staffed workforce. From our experiences of visiting hospitals, we all know how reliant we are on the members of staff who go above and beyond the call of duty each day. Without them, the staff shortages that we are experiencing would have a much more significant impact on the services that are offered. Across the workforce, we have immediate challenges and demographic issues that are likely to have a significant impact in the near future, and that is before we consider the implications of Brexit.

Cancer Research UK has observed that the vacancy level across diagnostic radiographers, radiologists, gastroenterologists and histopathologists is at least 10%. In the cancer patient experience survey, 7% of cancer patients said that there were rarely or never enough nurses to care for them properly. The most recent report by the APPG on cancer highlights that 28% of radiographers are forecast to leave the profession by 2021. There are also reports that visa restrictions are hampering trusts’ recruitment plans.
Karen Lee: This is not meant to be a political point, but if we want people to train as medical staff, we need to look at the funding for that, such as the nursing bursary, which has now gone. It has been noted that the number of people applying for training has fallen since the bursaries were withdrawn.

Justin Madders: I thank my hon. Friend for that intervention. We have touched on the impact of the nursing bursary on a number of occasions, and Labour has a commitment to restore it. There are also implications for the ongoing training and continuing professional development for nurses and other health professionals who wish to specialise. The budgets available for those kinds of initiatives are being continually squeezed.

Turning back to the issue of overseas recruitment, it is worrying to hear that there is a block on recruiting trained and “ready to go” staff from other parts of the world, because it is evident from the numbers we have talked about today, and not only in this area but in other areas across the NHS, that there is a funding crisis and a recruitment crisis. Actually, staff in some of the disciplines that we have talked about do the essential behind-the-scenes work that helps us to reach patients that bit quicker and makes the targets easier to meet.

Only yesterday, Macmillan Cancer Support released research showing that hospitals in England have more than 400 specialist vacancies for cancer nurses, chemotherapy nurses, palliative care nurses and cancer support workers. Macmillan said that cancer patients were losing out, with delays in their receiving chemotherapy, and that cancer nurses were being “run ragged”, as they were forced to take on heavier workloads because of rota gaps. It also reported that vacancy rates for some specialist nurses are as high as 15% in some areas. Clearly, those kinds of gaps will have an impact on our efforts to achieve the outcomes that we all want to deliver.

There is little doubt that we would enjoy much more success in meeting some of our aims, particularly in the cancer strategy, if the workforce had the resources they need. We welcomed the publication of the cancer workforce plan in December, although we would have liked to have seen it much earlier. I shall be grateful if the Minister will update us on the progress of that plan, if he has time to do so when he responds to the debate.

More generally, the “two years on” progress report on the cancer strategy was published last October, and it set out some of the progress that has been made, but we are now six months on from that. Again, if the Minister has an opportunity, I shall be grateful if he will provide us with an update. If he is unable to do so today, could he indicate when the next formal update will be available?

In conclusion, it is wholly unacceptable that we continue to lag behind many of our neighbours with regard to outcomes, but I believe that, with the right funding, the right strategy and support from the Government, the situation can change. I hope that the Minister, when he responds to the debate, will confirm that there are plans to put in place the world-class services that our patients truly deserve.

Mr Gary Streeter (in the Chair): I call the Minister. If he could leave two minutes at the end for Mr Baron to respond, that would be most helpful.

3.42 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Thank you very much, Mr Streeter, and it is a pleasure to see you in the Chair. As always, it was a pleasure to hear the debate.

I, too, congratulate my hon. Friend the Member for Basildon and Billericay (Mr Baron) on securing yet another debate on cancer in this place. I do not know how he does it; he must have a special line to Mr Speaker.

My hon. Friend and I worked very closely together in my previous iterations on the Back Benches. I am hugely appreciative of all his work as chair of the all-party parliamentary group on cancer. I did not know until today that he is coming towards the end of his tenure, but my goodness—he has certainly done his bit. He will be a hard act to follow, and I do not know who will succeed him. Who knows? Maybe that next person is with us today, Mr Streeter; you never know.

We have had some excellent contributions today. I do not know why the hon. Member for Clacton (Romford) (Nic Dakin) is looking at me that way; he is welcome to intervene on me.

May I just say that the hon. Member for Central Ayrshire (Dr Whitford) made a speech that was, as always, very sensible, balanced and packed with experience, which most of us can only hope to get near to. It is very welcome and very important in these debates that she speaks about her long time working in the breast unit in Edinburgh—

Dr Whitford: In Ayrshire.

Steve Brine: In Ayrshire—sorry. The hon. Lady is one of my successors as the chair of the all-party parliamentary group on breast cancer and she was so right in what she said about prevention; she was right in a lot of things she said, but she was so right about prevention. As we meet here in Westminster Hall, a certain well-known TV chef is giving evidence to the Health Committee upstairs; I am sure that can be seen on all good news channels this evening. One of the things the Committee is considering as part of its inquiry is child obesity, and one of the first things that I did in this job was to publish the tobacco control plan. I am passionate about that and I am also passionate about our alcohol challenge.

Plenty of people in this country—the majority—have a very healthy relationship with alcohol, but there are some people for whom that is not the case. As the hon. Lady knows, alcohol is also a big cancer risk factor. She was spot on in saying that this debate is not just about a cancer plan; it is about a health plan. I see the obesity challenge, the smoking challenge and the alcohol challenge as a holy trinity, if you like, in the task of tackling cancer.

Dr Whitford: I would just like to mark the fact that Scotland starts its minimum unit pricing on alcohol today. That will not be a panacea, but we hope that it will at least help to make the dirt-cheap white ciders no longer dirt cheap and keep them away from our teenagers.

The obesity strategy introduced by the previous Prime Minister appeared to be quite comprehensive, yet the final version published by the current Government—or the Government before; it is always hard to keep track—was only about a third of the original strategy. Is a much
more ambitious plan likely to be issued and will it include attempts to tackle things such as advertising, which make our living space so obesogenic?

Steve Brine: Nice try. We always said that addressing child obesity was chapter 1 and therefore the start of a conversation. There are a lot of things within that plan that we are still to do, or in the middle of doing. For instance, Public Health England will shortly publish the initial results of the sugar tax on soft drinks—the industry levy—and we said that we would watch that tax very closely, to see whether we needed to continue the conversation. The hon. Lady will also know that there have been lots of discussions in this Chamber and in the main Chamber about advertising, “buy one, get one free”, labelling and reformulation. As she knows, I am very interested in said agenda and I watch these things like the proverbial hawk. So I thank her for raising that issue.

I always enjoy listening to the hon. Member for Scunthorpe; he speaks so well and I see him at so many different events in this House. He mentioned the cancer dashboard and blood—or non-solid—cancers. He knows that I agree with him; it is something that I am looking at very closely with officials and with NHS England. I also pay tribute to the work that he does on pancreatic cancer. I met one of the pancreatic cancer charities with my right hon. Friend the Secretary of State for Health last week—or was it the week before last? Time flies.

The hon. Gentleman talked about the survival figures for pancreatic cancer, and they are terrible in comparison with those for other cancers. However, sometimes we have to recognise that there is an enormous challenge with pancreatic cancer, in that it is very hard to diagnose because often it is not symptomatic until its latter stages. That is one of the reasons why I was very interested in the 16-day referral to surgery pathway that he talked about and the challenge that he identified within his cancer alliance. My officials will have heard what he said, and I will take it away and consider it, because it is a really important point.

The hon. Member for Ellesmere Port and Neston (Justin Madders), who is the shadow Minister, asked about the cancer strategy and the next update to it. It is not a “three year on” update, but the next update will be in the autumn of this year. I was glad to hear his confidence in the success we have had with survival rates, so it is good that we are discussing them here today. I use the word “target” cautiously, because I have always been clear that standards should not necessarily be targets. If someone has a suspected cancer, 28 days is 28 lifetimes too long—I will talk about the urgent diagnostic centres in a moment. Sometimes we are not trying to get to the maximum, so “target” can be a misleading term.

Dr Whitford rose—

Steve Brine: I will not give way. I remember Mr Streeter’s ruling.

There are eight cancer waiting time standards and, since one in two of us born since 1960 will be diagnosed with cancer in our lifetime, they are an important indicator—to patients, clinicians and politicians and the public—of the quality of cancer diagnosis, treatment and care that NHS organisations provide to millions of our constituents every year. They are a component of the success we have had with survival rates, so it is good that we are discussing them here today. I use the word “target” cautiously, because I have always been clear that we are discussing them here today. I use the word “dashboard” to emphasise the importance of these standards to patients, clinicians and politicians and the public.

As has been said, we are currently meeting six of the eight standards. One of those we are not meeting is the 62 days from urgent GP referral for suspected cancer to first treatment, which is important because we want to ensure that patients receive the right treatment quickly, without any unnecessary delays. The standards contribute to cancers being diagnosed earlier—only “contribute to”—and that is crucial to improving our survival rates. However, our rates have historically lagged behind those of some of the best-performing countries in Europe and around the world. That is why we have the cancer strategy; we want to do better. The primary reason for those rates is late diagnosis. Early diagnosis is, indeed, the magic key. My hon. Friend the Member for Basildon and Billericay has used that term many times—I have heard him use it at the Britain Against Cancer conference—and he is absolutely spot on.

Going back to the 62-day standard and the recovery thereof, my hon. Friend the Member for Basildon and Billericay will know that due to factors such as an ageing population and the increase in obesity, which we have touched on, the incidence of cancer is increasing. The NHS is treating more patients for cancer than ever before. It is testament to the hard work of NHS staff across all four nations of our United Kingdom that we are treating more people, and do so with the care and compassion for which we know the NHS is world-renowned. However, those numbers are making the achievement of the 62-day standard challenging. To be
perfectly honest, the standard has not been met since December 2015 and, although we do not yet have the figures for March 2018, it is unlikely to have been met in 2017-18 either. However, we remain committed to the standard and want to see it recovered. That is why, through this year’s mandate from the Secretary of State to NHS England, we have agreed that the standard will be achieved in 2018-19, while we maintain performance against other waiting time standards.

Mr Baron: Will the Minister give way?

Steve Brine: I will very quickly. I know that my hon. Friend wants me to come on to the funding.

Mr Baron: The Minister will be aware that about a quarter of all cancers are first detected as late as at an emergency procedure. What I would like him to do in the few minutes he has left is to focus on the need to break the 62-day target link with the transformation funding because it is unfair, penalising as it does those cancer services that need help most. Will he consider that?

Steve Brine: That is exactly what I was coming on to. I know that my hon. Friend has expressed concern, to put it mildly, about the methods used to allocate funding for the alliances in 2017-18, and in last December’s report by the all-party parliamentary group on cancer it was clear that the alliances should not be linked to achieving the 62-day target. I am aware that my hon. Friend has met with the Prime Minister to discuss the issue and I will reiterate what I am sure she will have told him. Achievement of the 62-day standard is not a prerequisite for funding. Instead, it provides a basis on which NHS England and NHS Improvement, along with senior clinical advice, can assess an alliance’s readiness to transform services.

The alliances are an important mechanism for us in improving performance on the 62-day standard from urgent referral to treatment. They bring together clinicians from primary and secondary care, ensuring collective responsibility for the multidisciplinary teams and the services that they provide, and enabling the leadership that is crucial to the transformation of services. But the bottom line is that it is taxpayers’ money that is being allocated, and it is right and proper that alliances can demonstrate their preparedness for the funding. In 2018-19, NHS England has modified how it will fund alliances, and I can confirm that all alliances will receive transformation funding to support earlier diagnosis and better quality of life for patients.

The national support fund is a genuinely new approach to distributing funding that we have introduced in 2018-19, within the £200 million over two years funding envelope announced in 2017-18. That was in no small part in response to advocacy by my hon. Friend the Member for Basildon and Billericay, and I pay great credit to him and to others for their work on the link—but not the pre-requisite—that was introduced in 2017-18 between transformation funding and 62-day performance.

The fund has a number of purposes. NHS England uses it to help iron out significant variations between alliances in the amount of funding for which they originally bid. The money will be used to support alliance activity to improve 62-day performance, as well as to enable all alliances to deliver priorities, such as accelerated pathways for lung, colorectal and prostate cancer, and other innovations, such as those we heard from the hon. Member for Scunthorpe, which are included in the 2018-19 CCG planning guidance. The Secretary of State, NHS England’s national cancer director, Cally Palmer, and I all agree that the link to the 62-day standard is the right approach and the right thing for patients. I hope that that clears the matter up, even if it does not go all the way towards satisfying Members.

Although I accept that there is anxiety in some quarters about the link between the performance and the funding, I and the Government are of the view that retaining the link is in the very best interests of patients. Ultimately, they must be our primary focus, and this is public money. We will keep the matter under review. I thank my hon. Friend for his advocacy on the subject.

By the end of the cancer programme, we want to have improved survival and provided equity of access to the highest standards of modern care across all our constituencies in England. As the cancer Minister, I seldom sleep and when I am not sleeping I think very little about anything else, because we are focused on meeting the recommendations in the cancer strategy and doing better for all our constituents—those who are here, those who will live with cancer, those who are living with it now, and those who have passed, who we all know. We are on our way to realising the transformation in services that we all want to see, to make our NHS the world leader in the treatment of cancer that I know it can be.

3.58 pm

Mr Baron: I thank everyone who has participated in the debate, and the Minister for his response. No one doubts his genuine care and concern about cancer patients and the need to improve treatment. I will look closely at his words. The national support fund may not be quite as new as he thinks, but putting that to one side, all I urge him to do is to look at the pleas for help from the cancer frontline services. As far as they are concerned, there is a strong link between the 62-day target and the release of the cancer transformation funding. That is iniquitous, because the services that need it most are being denied it. I ask the Minister to go away and have another look at that, because many frontline services say that the link exists and because of it they are not getting the transformation funding they require to deliver on the cancer strategy. I will continue to pursue that matter until the transformation funding is released.

In the 15 seconds that are left to me, all I say is that a quarter of all cancers are first diagnosed during an emergency procedure. That is far too late; we all accept that. We also accept that we are failing to catch up with international averages when it comes to survival rates, despite all the talk about improving them. We have to focus on outcomes.

Motion lapsed (Standing Order No. 10(6)).
Solitary Confinement (Children and Young People)

(Mr Philip Hollobone in the Chair)

4 pm

Seema Malhotra (Feltham and Heston) (Lab/Co-op):
I beg to move,

That this House has considered use of solitary confinement for children and young people in the justice system.

It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank the Speaker’s Office for granting this debate. I thank the Minister for coming to respond and all Members who have joined me for this discussion.

May I also put on record my appreciation for the British Medical Association, the Howard League for Penal Reform, the Royal College of Psychiatrists and the Royal College of Paediatrics and Child Health for their tireless campaigning on human rights in the context of healthcare?

Two weeks ago I hosted a roundtable in Parliament with the BMA, the Royal College of Psychiatrists and the Royal College of Paediatrics and Child Health. They have issued a joint call for solitary confinement to be banned for children who are locked up in the UK. That call is based on evidence of harm, and they have urged the Government to act. Importantly, they have also produced guidance to help improve care for those segregated by prison officers until any ban is in place.

The roundtable was attended by peers and MPs, including my hon. Friends the Members for Brentford and Isleworth (Ruth Cadbury), for Liverpool, Wavertree (Luciana Berger) and for Stretford and Urmston (Kate Green).

In response to a written parliamentary question that I tabled in January, the Government said:

“We do not use solitary confinement. Young people can be removed from association under careful control where they will not be permitted to associate with other young people.”

The Minister repeated last Friday that the UK does not use solitary confinement. Solitary confinement is defined under international human rights law as “the confinement of prisoners for 22 hours or more a day without meaningful human contact.”

Many I have talked to have said they are not clear on the distinction between solitary confinement and removal from association. Indeed, YoungMinds says that regardless of the term, “we consider any individual who is physically isolated and deprived of meaningful contact with others for a prolonged period of time to be in solitary confinement.”

John Howell (Henley) (Con): Given what the hon. Lady has said about the definitions of solitary confinement, it would be helpful to know how many people she thinks are trapped in the solitary confinement system, so that we can get a feel for how big the problem is.

Seema Malhotra: I will come on to that point. One point I will make is about the inadequate collection of data. What information we receive comes partly through the lens of healthcare providers and charities that are taking calls from prisoners in distress.

To continue the point I was making, I should be grateful if the Minister would clarify the substantive difference between the international definition of solitary confinement and the Government’s definition of removal from association.

Let me outline the current situation. Under rule 49 of the young offender institution rules, a prison governor can authorise removal from association for up to 42 days. That can be extended further after application to the Secretary of State. I understand that, as we have just discussed, national data on the use of solitary confinement within the youth secure estate are not currently collected. That is concerning, as it means that no accurate data exists as to how many children and young people are being held in isolation and for what period of time. However, anecdotal evidence from the Equality and Human Rights Commission and others suggests that it is on the increase. Will the Minister clarify the situation on data collection? What steps can be taken to change it?

According to the recent BMA guidance, “The medical role in solitary confinement”, the use of solitary confinement in the UK youth justice system is much more widespread than we might realise. According to studies that the guidance flags, almost four in 10 boys in detention spend some time in solitary confinement—some for periods of almost three months. Some estimates suggest the duration of confinement can range anywhere from an average of eight days up to 60 or even 80 days. Children and young people are also increasingly being kept in conditions of solitary confinement—in cells or rooms for up to 22 hours a day—amid reports of staff shortages and increased violence. There is also evidence referred to by the Children’s Commissioner that certain groups may be more likely to experience isolation.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Does my hon. Friend agree that all the scientific and medical evidence points to a profound negative impact on the child, such as paranoia, anxiety and depression? Solitary confinement does not create a constructive pathway to rehabilitation and reintegration into society.

Seema Malhotra: My hon. Friend makes an incredibly important point that goes to the heart of this debate. The use of solitary confinement in the justice system potentially increases harm and can impact on the young person’s life not only during a period of detention in the justice system, but in the longer term.

Black and mixed heritage children are three times more likely to experience isolation. Children with a recorded disability are two thirds more likely to experience isolation. Looked-after children are almost two thirds more likely to experience isolation. Children assessed as a suicide risk are nearly 50% more likely to experience isolation. The problem we have is that the policy is not without harm.

There is an unequivocal body of evidence on the negative health effects of solitary confinement. As has been mentioned, the symptoms observed include anxiety, depression, rage and aggression, cognitive disturbances, paranoia and, in the most extreme cases, hallucinations and psychosis. The experience can also trigger adverse childhood experiences. For children and young people—about whom this debate is most concerned—who are still in the crucial stages of developing socially, psychologically and neurologically, the health effects of isolation and solitary confinement can be particularly damaging.

Ruth Cadbury (Brentford and Isleworth) (Lab): Does my hon. Friend agree that there is growing international consensus that solitary confinement should never be
used for children and young people? The Government need to accept that this country is increasingly out of step with the rest of the world.

Seema Malhotra: I thank my hon. Friend for making that point. I will come back to it. It is interesting to note that the use of solitary confinement was banned by former President Barack Obama in 2016. There are some lessons we can learn from what is happening in the USA.

Mr Jonathan Lord (Woking) (Con): If a young person is a danger to themselves and others, what remedies, whether elsewhere in the world or in our system, is the hon. Lady recommending? Solitary confinement, as she puts it, is presumably being put in place largely for safety reasons for the young person concerned and those in the same institution as him or her.

Seema Malhotra: The hon. Gentleman makes an extremely valid point about the possible reasons for removal from association, in terms of safety for prison officers or the young person. However—I will make this point in my concluding remarks—I think it is incumbent on the Government to look for alternative non-solitary confinement options that can be used in the youth secure estate. Other countries do not have the same kind of youth detention estate as us, yet they still have youth crime that they need to deal with.

There is evidence that the policy of solitary confinement can be counter-productive. Rather than improving behaviour, it can fail to address the underlying causes of some of that disruptive behaviour and, as my hon. Friend the Member for Slough (Mr Dhesi) has said, create additional problems with reintegration.

During the recent roundtable in Parliament, the Howard League highlighted the case of AB, which has been covered extensively in the media. AB was a 15-year-old boy in Feltham young offenders institution in my constituency who called an advice line run by the Howard League. The adviser who answered could tell that he was miserable and fed up. He had attention deficit hyperactivity disorder and had been locked, alone, in a cell at Feltham young offenders institution for 23 hours a day, for weeks on end. He was allowed outside only to shower and exercise. Understandably, he wanted to end his solitary confinement and was appealing for help.

Cases are complex, but these are children. The Howard League stated that it “had no option but to go for judicial review”.

AB’s case was heard last year at the royal courts of justice in London. The court found that his treatment was unlawful. It stopped short of finding it “inhuman or degrading”, but that is also being challenged. I am also very pleased that we have heard this week that the Joint Committee on Human Rights is launching an inquiry on solitary confinement and the restraint of children in the youth justice system. I hope that it will take some of these important issues further.

The Howard League received more than 40 calls last year from or about children in prison who were isolated. For those reasons and others, as my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) has pointed out, there is a growing international consensus, from groups including the United Nations Committee on the Rights of the Child, the European Committee for the Prevention of Torture, and the United Nations special rapporteur on torture, that solitary confinement should never be used on children and young people. As I have said, Barack Obama, when in office, banned the use of solitary confinement for juvenile offenders in the federal prison system. He said:

“It doesn’t make us safer. It’s an affront to our common humanity.”

With Feltham young offenders institution in my constituency, I am greatly concerned that vulnerable children are entering a justice system, elements of which could result in additional long-term harm. Solitary confinement, as defined by international law—however it is referred to and whatever terminology may be used—should be abolished and prohibited. Until it is, the health needs of those subject to it should be met, and there is an essential role for doctors and, indeed, our prison governors in ensuring that that happens.

We should be clear that any mechanism that results in a child or young person being physically or socially isolated for prolonged periods of time should have no place in a humane justice system. I should therefore be grateful if the Minister would address how he defines removal from association; what steps he is taking to get a full and accurate picture of the number of instances of it; what assessment his Department has made of the level of harm caused by it; what steps he is taking to create alternative, non-solitary confinement options in the secure estate for young people, with adequate resources and staff to meet their needs; and how he envisages us moving forward to end this practice in the United Kingdom.

4.14 pm

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate the hon. Member for Feltham and Heston (Seema Malhotra) on securing this important debate on a difficult issue that is worthy of further discussion after today. I am grateful for the opportunity to respond.

The number of children entering the youth justice system has continued to decrease in recent years. In 2016-17, juvenile convictions and cautions were down by 83% since 2006-2007, with first-time entries down by 85% in the same period. The number of under-18s in custody also fell by 70% during that time, and in February stood at 870. That represents a success story, and everyone involved in youth justice should be pleased by those figures. However, the decline in overall numbers has resulted in a concentrated cohort of young people in the secure estate, many of whom demonstrate complex and challenging behaviour.

Mr Lord: I am pleased about the overall reduction but, as the Minister says, there is now a cohort of perhaps more difficult offenders. I admired the eloquence of the hon. Member for Feltham and Heston (Seema Malhotra), but I do not think that she was able to answer my earlier question. If someone in a young offenders institution is a danger to themselves and others, what alternatives are there to removal from association?
Dr Lee: I thank my hon. Friend for his question. Staff in young offenders institutions up and down the country are sometimes confronted with extremely difficult circumstances, with particularly troubled and violent young people. We have introduced an enhanced support unit at Feltham, and we are hoping to bring another on-stream elsewhere. We have found that the use of such units, where there is a higher staff-to-offender ratio, has worked in managing behaviour. Ultimately, the removal from association of a troublesome, very difficult young person is often the only course of action that a responsible governor can take.

The safety and welfare of children held in custody is one of my highest priorities. The hon. Member for Feltham and Heston alluded to the fact that there are definitions of solitary confinement internationally, but there is not a sole definition. There are the Mandela rules, the Istanbul convention and a variety of others, but there is not one clear definition, but I would like to be clear from the outset that I have been assured that young people are never subject to solitary confinement in this country. When a child in custody is putting themselves or others at risk, segregation can be used as a last resort for limited periods of time and under regular review, when no other form of intervention is suitable to protect both the child and others. Segregation should never be used as a punishment for young people.

When a young person is removed from association, they will be given as much access as possible to the usual regime, including education and healthcare. That is monitored on a regular basis by the youth offenders institute and the independent monitoring board, in order to protect the young person.

Ruth Cadbury: I welcome the Minister’s statement that solitary confinement is a last resort, but a very high number of young people and children in the criminal justice system have one or more mental health illnesses, learning disabilities, ADHD, autism spectrum disorders, addiction and probably other conditions. Once those children are being punished in the criminal justice system, surely they need proper specialist medical care therapy, as happens in most other countries.

Dr Lee: I acknowledge that the youth justice population has an over-representation of the issues that the hon. Lady has just outlined, although the diagnosis of each of those is broad and, in and of itself, not straightforward. I know that the appropriate care is made available to individuals who particularly need psychiatric input. I look at that on a regular basis, and I personally see it as my responsibility to ensure that that is the case. If the hon. Lady would like to write to me with evidence of where that is not the case, I would be more than happy to receive such a letter.

At an absolute minimum, young people in segregation in young offenders institutions will be given time in the open air, outreach education provision, healthcare, physical education and access to legal advice. Individual regime plans are agreed for each young person by a multi-disciplinary team, taking account of all those issues and any other relevant information. They are reviewed frequently on an individual basis—again, in the interest of the young person. All under-18 young offenders institutions have been given additional training on the use of segregation and the rules governing it.

I note with interest the recent inspection report from the independent monitoring board for Feltham YOI, which is of course located in the constituency of the hon. Member for Feltham and Heston. The report noted that significant improvements have been made in addressing violence and praised the dedication and commitment of staff within the establishment. I take this opportunity to reiterate my thanks to staff at Feltham and across the youth secure estate for their continued hard work in looking after the young people in their care.

The report also noted, however, that too frequently staffing levels within the establishment affected the daily regime and the ability to provide sufficient purposeful activity and time out of room. I share those concerns and am encouraged that, across both sites at Feltham, recruitment is swiftly improving. As of the end of March, there were 105 prison officers booked on to entry-level training. I believe that every child and young person should have access to and be engaged in meaningful activities, including education and physical activities. The regime should be purposeful, meet the needs of the cohort, keep young people occupied and active all day and deliver the highest quality education. That needs to sit alongside effective behaviour management, so that young people can be out of their rooms and able to participate safely in the regimes and activities provided.

That is why we have developed a new approach to behaviour management, which includes the roll-out of the custody support plan, to provide each young person with a personalised officer to work with on a weekly basis in order to build trust and consistency. We are also implementing a conflict resolution strategy, applying restorative justice principles to help resolve conflict. However, while acknowledging the work that is continuing to be progressed to address safety in youth custody, as demonstrated in the latest inspection reports from Her Majesty’s inspectorate of prisons for Werrington and Pare young offenders institutions, I am clear that levels of violence within the youth estate are too great, which is why we are reforming youth custody to reduce violence and improve outcomes for young people.

Investing in our workforce is a cornerstone of those reforms. We continue to be impressed by the dedication and pride that our staff show in their work with young people, as evidenced by the fact that more than 200 frontline staff have voluntarily enrolled on a youth justice foundation degree funded by the Ministry of Justice. We want to build on that success and ensure that working in youth justice continues to be seen as the respected and rewarding profession that it is.

We know that many establishments have struggled with staffing, especially in the south-east, which is why we are increasing frontline capacity in public sector young offenders institutions by bringing in more than 100 new recruits and introducing a new youth justice specialist role. We have started recruitment for those additional frontline posts in order to relieve the immediate operational pressures, alongside additional psychology roles in the YOIs. In addition, we are developing a bespoke recruitment campaign and process for the youth custody service, to target those with a passion to work with young people. The first phase of this—a new website and targeted marketing material—was launched last week.
We will develop strong leaders, building the workforce required to create a therapeutic and aspirational culture in our establishments. Our reforms will empower the leaders, giving them the freedom to deliver the right suite of services to meet the needs of the young people in their care. We are working closely with NHS England to implement Secure STAIRS, a framework for integrated care in the youth secure estate, which aims to co-ordinate the services of health and non-health providers into a coherent package, supporting trauma-informed care and a whole-system approach.

I am a strong believer in the benefit that sport and physical activity can provide to children in custody. As well as the obvious health benefits, it can provide young people with a sense of achievement, enhancing self-esteem and transforming lives. For those reasons, I commissioned Professor Rosie Meek of Royal Holloway, University of London to conduct an independent review into the role of sport in the justice system, to identify best practice and make recommendations for improvement. Professor Meek’s report will be published shortly and I await its findings with interest.

We are also looking to support organisations that want to work with young people in the youth justice system and seek opportunities to build on existing collaborations between establishments, sports clubs and providers. For example, Saracens rugby club’s Get Onside programme, which runs at Feltham for young adults, is a shining example of how sport can engage young people. The young adults who have been through this 10-week programme, which uses the ethos of rugby to teach skills such as leadership and teamwork, have shown notably lower rates of reoffending than their peers. That is just one example of how sport can help young people lead a better, more productive life, away from crime.

Finally, we continue to work on our proposal to develop secure schools. Our model will be informed by best practice from outstanding alternative provision schools, and secure schools will be set up, run and managed in a similar way to free schools.

Mr Lord: I am encouraged by a lot of what the Minister has said and I urge him to keep up the good work in his Department and with these institutions. Does he agree that, given that solitary confinement has a clear definition in this space, and no young people are subject to solitary confinement in the UK, that pejorative phrase should not be used in such debates? Where removal from association is used as a last resort, we obviously urge that those young people benefit in the future from the sort of regime that the Minister is outlining.

Dr Lee: Yes, it is always important to use language appropriately. As I tried to point out at the start, use of the term is difficult when internationally no clear definition is agreed upon. The hon. Member for Feltham and Heston can be assured that I look at this issue all the time. I cannot talk about individual cases, because one is still running with the courts, but we consider the issue all the time. There have been other cases where difficult decisions have to be made. I am assured that at all times we are thinking about the child at the centre of the case, and the children being held with the child who is showing such troubling behaviour.

Secure schools will be operated on a not-for-profit basis by child-focused providers with strong leaders who will have the freedom to provide integrated services based on individual need, with education and healthcare and, if I get my way, sport at its heart.

I am under no illusions about the challenge we face. We are talking about some of the most challenging, often damaged young people in the country. However, our reforms will support establishments to provide better levels of care and enable more young people to engage in purposeful activities, outside their rooms, and work towards a brighter future.

I congratulate the hon. Member for Feltham and Heston on her speech, and thank my hon. Friends the Members for Henley (John Howell) and for Woking (Mr Lord) and the hon. Members for Slough (Mr Dhesi) and for Brentford and Isleworth (Ruth Cadbury) for their contributions. I will take away the points about the collection of data and the numbers of children who could be affected in this way, and I will be happy to receive any correspondence on the issue from any parliamentary colleague.

Question put and agreed to.
Cosmetics Testing on Animals

4.28 pm
Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I beg to move,

That this House has considered a global ban on cosmetic animal testing.

It is a pleasure to serve under your chairmanship, Mr Hollobone. In his first keynote speech back in July 2017, the Secretary of State for Environment, Food and Rural Affairs made global standards on policies for farm animal welfare and air quality a priority. In responding to the row about the Government’s non-inclusion of animal sentience in the European Union (Withdrawal) Bill, he vowed to ensure that Brexit works not just for citizens, but for the animals we love and cherish. This initiative to end the cruel, unnecessary and outdated use of animals in cosmetics testing is the perfect opportunity for the Government to set global standards and ensure that our laws work for animals and the UK’s animal lovers.

The public overwhelmingly want cosmetics testing on animals to end worldwide. More than 5.5 million people to date have signed a petition, jointly with the Body Shop and Cruelty Free International, for a global end to cosmetics testing on animals, which can be achieved by adopting an international agreement reflecting the combined will of United Nations member states to map a harmonised framework that would end the use of animal tests for cosmetic products and continue the development and international validation of non-animal methods.

What has Parliament done already? The fact that 116 Members across Parliament have already signed early-day motion 437 shows that there is cross-party support for that proposal. The EDM calls on the Government to lead on such an initiative by tabling, actively pursuing and supporting a resolution at the UN General Assembly for an ad hoc committee, as the UK-based Cruelty Free International has called for.

Cosmetics testing on animals has been banned in the UK since 1998. We have led the way on this issue. The UK was in fact the first country to take that step, and we motivated the EU ban on testing and sales. It is time to make that commitment global. If the use of animals in cosmetics testing is wrong in the UK and the EU, it is wrong everywhere around the world.

Mr Philip Hollobone (in the Chair): Order. I am sorry to interrupt the hon. Lady, but a Division has just been called in the House. We will suspend for 15 minutes if there is one Division, and an extra 10 minutes for any subsequent Divisions. As soon as Dr Cameron and the Minister are back in their seats, we can resume the debate.

4.31 pm
Sitting suspended for a Division in the House.

4.47 pm
On resuming—

Dr Cameron: I thank the hon. Gentleman for that important intervention. Yes, I agree that much more needs to be done to look at non-animal testing methods in all forms of research, particularly for those types of experiment for which other methods are available. Animal testing should always be the last resort. I chair the all-party parliamentary dog advisory welfare group, and just the other month we heard about the 400-odd dogs tested—a figure that was reported to me as in Hansard. I was then told that the number had not been reported accurately to me and that it was more likely to be 4,000 across the UK. Will the Minister get back to me on that point? That also highlights that much is done underground, and we need to be much more transparent. We need to have the figures and to know that animal research is the last alternative, as it is meant to be. I absolutely agree with the hon. Gentleman that much more needs to be done about the transparency of the animal research industry.

Although no global ban has yet been enacted, the European Union ban on animal testing for cosmetics and on the sale of cosmetics tested on animals came fully into force in 2013. Other bans, some more comprehensive than others, are now in place in many countries: Guatemala, New Zealand, India, Israel, Norway, South Korea, Switzerland, Taiwan, Turkey and Vietnam now have legislation, and things are moving forward in Brazil, Argentina, Canada, Chile, South Africa and China. In the USA, state-level bans have been enacted, as well as some mandated alternative laws. In a global market, it is essential that all countries ban the practice, to avoid testing simply moving around the world to countries with no effective laws, to ensure a level playing field and to put an end to animal suffering. The challenge is to make cruel cosmetics a thing of the past once and for all, and to achieve one coherent global ban on animal testing for cosmetics.

To market a product, a company must demonstrate its safety. Of course, of that we all agree, but that can be done by using approved non-animal tests and combinations of existing ingredients that have already been established as safe for human use. Increasing awareness of animal sentience and the pain, suffering and death inflicted...
upon animals via product testing has led the public to reject the idea in their droves. The number of companies seeking certification under Cruelty Free International’s leaping bunny programme is increasing, as their market insights tell them that consumers want cruelty-free personal care products.

The information that historically was gained from animal tests is increasingly being provided through quicker and more reliable non-animal methods. Modern methods are more relevant to humans and have been found to predict human reactions better than traditional animal-model methods. For example, an evaluation of the reconstituted skin model for skin irritation found that it predicted human skin reactions much better than the cruel Draize skin test on rabbits.

Rabbits, guinea pigs, mice, hamsters and rats continue to be injected, gassed, force-fed and killed for cosmetics testing worldwide. It is estimated from OECD figures that more than half a million animals are killed each year for cosmetics testing. Examples of the types of tests that are undertaken include repeated dose toxicity: to assess toxicity, rabbits or rats are forced to eat or inhale a cosmetic ingredient or have it rubbed on to their shaved skin every day for 28 or 90 days, and are then killed. Several reviews of the ability of rodent tests to predict human toxicity have found that they are only 40% to 60% predictive. They also include reproductive toxicity tests: to assess such toxicity, pregnant female rabbits or rats are force-fed a cosmetic ingredient and then killed, along with their unborn babies. Such tests take a long time and use thousands of animals, although studies have shown them to detect only around 60% of known human reproductive toxins.

In toxicokinetic testing, rabbits or rats are forced to eat a cosmetic ingredient. They are then killed and their organs examined, to see how the ingredient is distributed in their bodies. Animals have significantly different metabolisms and physiology to humans. Thus, before the now available non-animal alternatives were routinely used by the pharmaceutical industry, the failure rate of drugs for poor prediction in this area was 40%.

Although some finished product tests take place, they are increasingly rare; most animal testing takes place on ingredients. It is important that consumers are aware of that; otherwise, they might unwittingly buy products that carry a meaningless claim, stating that the finished product has not been tested on animals, when the ingredients could well have been.

What are the alternatives? Companies can prove that their products are safe by using non-animal methods and utilising established ingredients. There are almost 30,000 ingredients on the EU’s database for which some safety data are available. There is an increasing number of non-animal methods available to replace outdated animal tests. To assess skin irritation, for example, we can use alternatives such as reconstituted human epidermis, such as the Episkin model developed by L’Oréal. More than 700 brands across the world are “leaping bunny” certified. Other companies may also follow this example and remove animal testing from their supply chains but, sadly, animal testing continues.

Some questions have been asked about the completeness of the EU ban. Since the introduction of the EU cosmetics directive, the European regulation concerning the registration, evaluation, authorisation and restriction of chemicals—REACH—has come into force. Although Cruelty Free International has fought hard against the animal testing provisions in REACH, it does have implications for many types of chemicals, including some that may be used in cosmetics. That is something to highlight to the public.

Some 80% of the world’s countries still allow the practice of testing cosmetic products on animals. In the global cosmetics market, it is essential that all countries end the practice of testing on animals, to avoid it simply moving around the world to countries with no effective laws. That has to ensure a clear playing field for this country and others that have done the right thing and give consumers confidence that they are buying cruelty-free.

Being able to claim that a product is cruelty-free is the most important packaging claim for a beauty product. A 2015 Nielsen study found the “not tested on animals” claim to matter the most to consumers. By ending animal testing for cosmetics, businesses will gain a competitive advantage here, across the EU and in the global cosmetics market. Worldwide consumers are increasingly demanding ethical, sustainable and humane products and services.

Cruelty Free International, which is represented in the Public Gallery this afternoon, has partnered with the global beauty brand The Body Shop. In less than a year, more than 5.5 million people worldwide have signed their joint petition, calling for a UN resolution to end cosmetics animal testing across the globe. They are aiming to bring 8 million signatures to the UN by October 2018, which would make it the largest ever animal protection petition. The overwhelming support from the public in more than 60 diverse countries shows clearly that people want international leaders to work together to adopt this resolution. The resolution would also be compatible with the sustainable development goals.

I ask the Minister and the Government to ensure that, once again, we are at the forefront of championing animal rights right across the globe. With sufficient political support from different regions around the world, including our own, member states could submit a resolution under the sustainable development item of the UN General Assembly second committee agenda, ahead of the 74th session in September 2019. That timetable would create enough space for consultation and learning, but would be flexible enough to adapt to change.

The UK Government must continue to lead on this issue. The public are calling for it. Let us stop the cruelty now and make that happen.

4.58 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I will begin by thanking my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron). I have found from other debates that I probably have the distinction of being the only Member in the Chamber who can pronounce her constituency properly. I am delighted to participate in this debate to call for a global ban on animal testing, for which, as she so eloquently put it, the time has definitely come.

Cosmetic testing on animals has been banned in the UK since 1998, and we have heard that there has been a ban on the sale of all testing of cosmetics on animals in the EU since 2013. Noticeably, that has not prevented...
the EU cosmetics industry from thriving; indeed, it provides about 2 million jobs. However, Members of the European Parliament have expressed concern that modern cosmetic product ingredients are also used in many other products, such as pharmaceuticals, detergents and food, and may therefore have been tested on animals under a different legal framework. It is therefore important that the EU develops alternative testing methods, and that those methods receive international regulatory acceptance for use in the safety assessment of cosmetic ingredients and products.

Despite the progress that has been made in the EU and the United Kingdom, we still have a long way to go globally, as my hon. Friend has pointed out. Astonishingly, 80% of countries still allow animal testing and the marketing of cosmetics tested on animals. China has a major cosmetics market that not only allows but requires products to be tested on animals in Government labs before being approved for sale. It is generally thought that China’s mandatory animal testing requirement for imported cosmetics is likely to be the biggest challenge for a global ban.

As my hon. Friend has pointed out, there is also a lack of reliable animal-testing data for cosmetics imported into the EU. We need to ensure that no product on the EU or UK market was tested on animals in a third country, and that requires us to do a little more work. I am heartened that our partners in the European Parliament have called on EU leaders to use their diplomatic networks to build a coalition and launch an international convention within the EU framework. I hope that a ban will be in force before 2023.

We know that a UN treaty would not guarantee a global ban on the testing of cosmetics on animals, but it would be a bold and progressive step in the right direction, and I think the UN and everyone in the Chamber would agree that it really must take that step. That would certainly help considerably in encouraging China and other countries that mandate testing to modernise and to stop blinding, poisoning and killing animals so that we can have lipstick, mascara and blusher.

As we have heard, what is most distressing about this issue is that cosmetic testing on animals is wholly unnecessary yet it causes our fellow creatures huge suffering. Transferring the results of animal tests to humans has proven problematic and even, at times, misleading. Using approved tests that do not involve animals, and sticking to the many combinations of existing ingredients that have already been established as safe for human use, would be a better way of ensuring safety. We heard from my hon. Friend that consumers are becoming increasingly ethical when it comes to purchasing power and consumer choice, so, aside from an ethical viewpoint—our fellow creatures suffer unnecessarily for our vanity, because of global inaction—and a scientific viewpoint. There is a better way.

It is time for cosmetic testing on animals to stop. The beauty industry needs a makeover, and it is time for global action.

5.5 pm

**Sue Hayman** (Workington) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for securing this important debate.

An end to testing cosmetics on animals was first promised in the 1997 Labour manifesto. I am proud that that was delivered here in the UK, under a Labour Government, 11 years before the EU-wide ban was brought in. Labour led the way then, and we continue to lead the way now.

Although testing practices have advanced greatly in recent years, there is still a lack of transparency about project licence applications and the allowance of “severe” suffering, as it is defined in UK legislation. That is one of the reasons the Labour party stated in our recent animal welfare plan that we will review animal testing. Our 50-point plan includes important proposals to build on our already proud record, and I encourage anyone who is interested to look at those proposals and give us their comments. We started by banning animal testing for cosmetics here in the UK, and it was then banned in the EU; it is incredibly important that it is now taken out globally.

As the hon. Lady said, in the EU animal testing has been banned for finished cosmetic products since 2004 and for cosmetic ingredients since 2009. It has also been illegal since 2009 to market in the EU cosmetic products containing ingredients that have been tested on animals. Those bans have done a lot to boost animal welfare due to the EU’s economic influence. As was said, the EU is the world’s largest market for cosmetic products. From soap and shampoo to moisturiser, perfume and make-up, it is estimated that consumers use about seven different cosmetic products every day. EU rules ensure that those products are safe for us to use, but not at the expense of animal welfare being ignored.

As we leave the EU, consumers tell me that they are concerned. They need reassurance that any trade deals that we do with countries that do not share our standards, such as the US, will not result in our sales ban being watered down, and that cruel cosmetics will remain a thing of the past in the UK. I would be grateful if the Minister provided an assurance that our ban on testing cosmetics on animals will not be undermined by any trade deals.
[Sue Hayman]

I welcome the resolution of the European Parliament’s environment, public health and food safety committee, which aims to establish a global ban on testing cosmetics on animals by 2023. As we heard, that resolution proposes the drafting of an international convention against testing cosmetics on animals within the UN framework, and calls for that to be included on the agenda of the next UN General Assembly meeting.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) pointed out that about 80% of countries still allow animal testing and the marketing of cosmetics that are tested on animals. We also heard that China’s major cosmetics industry requires products to be tested on animals before they are allowed on the market. That is one of the biggest challenges we will have to overcome if we are to implement a global ban.

We must also be clear that the cosmetics industry has a key role to play. It is simply unacceptable that those cosmetic brands that claim to be cruelty-free and not to engage in animal testing yet undertake such testing are able to sell to Chinese consumers. Many of those large cosmetic companies state online that they do not engage in animal testing but indicate that exceptions are made where required. For instance, Estée Lauder’s website says that it “does not test on animals and we never ask others to do so on our behalf.”

However, it has the caveat: “If a regulatory body demands it for its safety or regulatory assessment, an exception can be made.” That can be confusing for consumers, who may believe that a company does no animal testing at all. Those loopholes and inconsistencies allow companies to brand themselves as cruelty-free while making exceptions if they want to trade in countries such as China.

There can be no excuse for causing distress and suffering to animals for the sake of make-up, soap and toiletries. In the global market in which we live, the only way to avoid animal testing of cosmetics is by having a ban across all countries; otherwise, as has been said, testing will simply shift to those countries that allow it. Work towards a ban must run in parallel with the further development of alternative replacement test methods worldwide. The EU can lead on that, working to speed up the development, validation and introduction of alternative testing methods. We know that the EU ban on animal testing has not jeopardised the cosmetic sector. As we have heard, it is the biggest market in the world, and it is thriving.

The EU resolution that aims to establish a global ban on animal testing for cosmetics by 2023 is a real step forward in improving animal welfare and closing loopholes on cosmetic animal testing worldwide. The EU resolution and events such as this debate do much to help increase visibility of this important issue. If countries outside the EU such as Guatemala, India, New Zealand and Turkey can put in place bans, every other country can, too.

5.12 pm

The Minister for Agriculture, Fisheries and Food (George Eustice): It is a real pleasure to serve under your chairmanship, Mr Hollobone. I congratulate the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron)—I hope I pronounced that right; it always throws me—on securing this debate on an incredibly important issue on which, as she pointed out, the UK has a considerable track record.

Animal welfare is dear to my heart, and dear to all of our hearts. In recent months, both the Secretary of State and I have made a number of important changes to promote and improve animal welfare regulation. Recent announcements have included introducing a ban on ivory and steps to reduce cetacean bycatch. We have published a draft animal welfare Bill that will recognise animal sentience and introduced tougher regulations on pet vendors and puppy breeding. We have also announced our intention to control live animal exports further than we do now, and just yesterday we introduced regulations for mandatory CCTV in slaughterhouses.

The UK has a long track record of being first when it comes to animal welfare. In 1822, this Parliament was the first ever legislature to implement laws to protect animals when it introduced the Cruel Treatment of Cattle Act—“an Act to prevent the cruel and improper Treatment of Cattle”. As long ago as the 1950s, the UK was the first country to introduce new regulations outlawing certain types of inhumane traps for wild animals, and more recently we have promoted humane trapping internationally.

We have also always taken a leading role in international wildlife conventions such as the convention on international trade in endangered species, the convention on migratory species and the convention on biological diversity. This year, I hope to go to the International Whaling Commission, where the UK has a longstanding role in arguing for the ending of commercial whaling. Also, through various regional fisheries management organisations, we promote issues such as shark conservation. Finally—this is relevant to animal welfare in particular—we are a member of the OIE, the World Organisation for Animal Health, currently as an EU member. The duty of loyal co-operation means that we have to attend it as part of an EU delegation, but the UK intends to use its freedom when it leaves the EU to argue strongly and powerfully for improved animal welfare standards around the world through the OIE.

Zac Goldsmith: The Minister is reeling off an impressive list of achievements, and rightly so. On the opportunities post-Brexit, we cannot ban live exports now, but will be able to do so after we leave the EU. Does he believe that Brexit will enable us to raise the standard of those products we import, so that they meet the animal testing standards that people in this country expect? Is Brexit an opportunity to go further than we can currently?

George Eustice: Those opportunities do present themselves once one has an independent trade policy, so yes, it is a potential opportunity to look at these issues and take our own independent seat on wildlife conventions such as CITES. I always remember a former Labour Minister telling me of their frustration when they wanted to restrict the sale of bluefin tuna, which was in a perilous state. The UK argued for that, but the European Commission took a different position and we had to fall in line with that. There will be opportunities for us as an independent country to be vocal on those issues, particularly in forums such as the OIE.
As the hon. Lady is probably aware, the OIE’s remit, somewhat surprisingly, does not extend to the welfare of animals and issues such as cosmetic testing. As she rightly pointed out, the UN is the right place for that. I should also point out that many Government Departments have overlapping interests. She may be aware that responsibility on animal testing and licensing of any such testing is the Home Office’s responsibility, deliberately not that of the Department for Environment, Food and Rural Affairs. DEFRA has responsibility for animal welfare issues, and obviously the Foreign and Commonwealth Office has responsibility for issues pertaining to the United Nations.

As the hon. Lady pointed out, in 1998 the UK was the first country in the world to implement a ban on the use of animals in cosmetic testing. The European Union’s ban on the use of testing in cosmetics was first introduced, I think, in 2013. Ever since we introduced our ban, the UK has shared our knowledge and expertise in this area with other countries. Most recently, for example, we provided support and advice to China on ending unnecessary cosmetics testing on animals and advised on a science-based approach for the use of non-animal alternative testing. In 2015, the Government implemented a similar ban on the testing of finished household products on animals as well as a qualified ban on ingredients. We therefore continue to make progress in this area in terms of both tightening our regulations and sharing our expertise with other countries.

I turn to the regulations in this country. My hon. Friend the Member for Richmond Park (Zac Goldsmith) raised concerns about the number of animals on which cosmetics are still tested. There was a 5% reduction from 2015 to 2016. The Home Office publishes an annual report that gives details on the statistics for animal testing, which it is important to note is down considerably from a high point in 1971, when 5.6 million animals were used in animal tests; that was the peak. These days, some tests are, for instance, for animals that have been genetically altered, rather than what many people would regard as conventional animal testing. Nevertheless, it is a stated commitment of the Government to reduce the number of tests continually.

We recognise that in some instances animals can be an important tool in scientific research and can build on our understanding of how biological systems work. However, animals are not used lightly in that work, and the Government maintain a rigorous regulatory system under the Animals (Scientific Procedures) Act 1986. That regulatory system ensures that animal research and testing is carried out only where there are no practical alternatives and under controls that keep suffering to a minimum.

As I said, the UK has played a leading role globally in supporting the development and adoption of scientific techniques to replace, reduce and refine the use of animals, known as the three Rs. The three Rs principle is robustly applied to every single research proposal that requires the use of animals, to ensure that animals are replaced with non-animal alternatives wherever possible, that the number of animals is reduced and that procedures are refined as far as possible to remove any suffering that animals might incur during those tests.

The hon. Member for East Kilbride, Strathaven and Lesmahagow made some important points about the role the UK will take in highlighting the issue internationally. It is already the case that, as the first country to adopt such a ban, we are keen to share our knowledge and experience in this area with many other countries. We have already done so recently with China. She cited a number of other countries that have introduced a ban.

I have made it clear that our general stance, particularly on the OIE, for which DEFRA is responsible, will be to agitate for higher animal welfare standards around the world. I hope the hon. Lady will appreciate that we need cross-Government discussion on this specific issue with other Departments, notably the Home Office and the Foreign and Commonwealth Office, which have a particular locus in this area. However, I will draw to the attention of the Ministers who lead on this the points that the hon. Lady raised today, and also the point that the shadow Minister made about other work to highlight this matter within the UN, to ensure that the UK plays an active part and does its utmost to spread the good practice that we began all those years ago in 1998.
Westminster Hall

Wednesday 2 May 2018

[SIR HENRY BELLINGHAM in the Chair]

HPV Vaccination for Boys

9.30 am

Sir Roger Gale (North Thanet) (Con): I beg to move, That this House has considered the case for HPV vaccination for boys.

I am delighted to find you in the Chair, Sir Henry. Before I start the substance of my speech, I want to place on the record my appreciation for the help I have received from a number of people, most notably Professor Christopher Nutting, one of the country’s most eminent oncologists specialising in throat and thyroid cancers, and Peter Baker, the campaign director for HPV Action. I am grateful to them both for educating me. I am also indebted to Stephen Bergman and Jamie Rae, two sufferers from the condition we are going to discuss—I shall say more about them later. Finally, I place on record my appreciation of the work done by my hon. Friend the Member for Finchley and Golders Green (Mike Freer). The Minister will understand that he cannot be here this morning; he has Government duties and a vow of Trappist silence as a Government Whip.

Before I start the substance of my speech, I want to place on the record my appreciation for the help I have received from a number of people, most notably Professor Christopher Nutting, one of the country’s most eminent oncologists specialising in throat and thyroid cancers, and Peter Baker, the campaign director for HPV Action. I am grateful to them both for educating me. I am also indebted to Stephen Bergman and Jamie Rae, two sufferers from the condition we are going to discuss—I shall say more about them later. Finally, I place on record my appreciation of the work done by my hon. Friend the Member for Finchley and Golders Green (Mike Freer). The Minister will understand that he cannot be here this morning; he has Government duties and a vow of Trappist silence as a Government Whip.

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I have been there.

Sir Roger Gale: My hon. Friend the Minister indicates that he knows the problem only too well. My hon. Friend the Member for Finchley and Golders Green has done a significant amount of work in achieving the provision of human papillomavirus vaccine for gay men—a small but significant step in the direction in which I hope we may travel further this morning.

Until a relatively few weeks ago, I knew very little about this issue. I concede that entirely. Unlike one of my colleagues who was here in this Chamber yesterday morning while I was in the Chair listening to the debate, who had a relative who had died of bowel cancer, I have no personal experience. However, when I met Professor Nutting and Peter Baker, I was astonished at the speed with which they convinced me of the argument—and I am not a pushover when it comes to spending taxpayers’ money. I think it is a no-brainer, and I hope to persuade my hon. Friend the Minister, and others, on this cause.

The human papillomavirus causes, among other things, cervical cancer, throat cancer, anal and penile cancers, and cancer of the back of the tongue. The virus is carried by about 80% of the population, which means somebody in this room is a carrier; it is not uncommon. I would like everybody to take that on board. Go on the tube in the morning and there will be dozens of people carrying the virus—most of it dormant, and a lot of it non-malignant. It is contracted in sexually active youth and, for men, usually in their teens or 20s.

The point is that it is a slow-burn issue. Its effects are not experienced overnight. A condition contracted as a teenager or at university may not rear its head for 30 years. We are talking about men now in their 50s and 60s, who some of the eminent people sitting behind me in the Public Gallery are treating, waiting that length of time without realising that they have anything wrong with them at all, because there is no screening process for men, unlike the screening process for cervical cancer.

I spoke yesterday to two people, Jamie Rae and Stephen Bergman—both sufferers, and both in their mid-50s—who described their experiences to me. I will not go into too much of the gory detail. I heard again this morning of another experience: somebody’s colleague, himself an eminent surgeon, who had throat cancer and suffered many months out of work, which was a loss to the health service, damage to his family and, of course, the treatment. The treatment involves chemotherapy and radiotherapy; it may involve a tracheostomy; and it inevitably damages the saliva glands in the mouth, leaving the patient who survives with permanent dryness, considerable pain and ongoing discomfort. As I have indicated, there is also the social damage. Both Jamie Rae and Stephen Bergman described to me in graphic detail the processes they have been through and the discomfort—I use that word very modestly indeed—they have experienced. They described themselves as the lucky ones, because both those gentlemen have come through it relatively unharmed, but of course there are many others who do not.

The HPV vaccine has been available to adolescent girls since 2008. A pubescent girl of 12 or 13 is offered the opportunity to be vaccinated in school. The parents, quite properly, have a right to refuse that vaccine. Just in case anybody has any doubt, I am aware that there are a small number of cases where parents believe that things have gone wrong and that children have suffered as a result of the vaccination. That is medically unproven, but we have to recognise that the parents believe it. Parental choice is vital, and in the case of pubescent girls there is parental choice.

The process ties in directly with the Department of Health and Social Care’s cancer strategy, which of course is about prevention. The Department has done significant work on preventing or seeking to prevent other prominent cancers. Lung cancer is the obvious one, and the anti-smoking campaign is highly relevant in this context. Melanoma is another; something that people of a certain age, such as myself, probably did not bother with at all has suddenly become prominent as the realisation of the damage that the sun’s rays can do to the skin and the cancers that can arise from that has dawned on the population. Any responsible parent or grandparent now takes the trouble to ensure that their children have appropriate sunscreens at all times when enjoying the sun. HPV vaccine falls directly into that category. It is usable for prevention and, used properly, it works. That is proven. As I said, this has been available to adolescent girls since 2008.

We now come to the hard bit of the argument, because up until now I think everybody would probably agree that we are on a winner in using HPV vaccine, but of course there is the question of cost and efficacy. The argument has been deployed that herd immunity, to use the colloquial phrase, will mean it is not necessary to vaccinate boys, because if we eliminate the infection in girls, boys will not catch it from the girls. That is nice in theory, but wrong in practice.
I am told by those who know better than I do that the average young male has at least 10 sexual partners. The Minister might find that surprising; I did myself, but it is so. It depends whom we believe, but in the United Kingdom the vaccine has an uptake of between 70% and 83%, although in some parts of the country it is as low as 50%. A young man embarking on an exciting night out with his girlfriend therefore has a very high risk of contracting HPV from a girl who has not been vaccinated, and that is just in the UK. We overlay on that the foreign travel that many young people are now happily able to enjoy. Sometimes, with sun, sea and sand goes sex, and the risk of exposure to HPV in those circumstances can be even greater. Therefore, the idea that herd immunity will in time address the problem is fallacious, and this is where I have to accuse those who are responsible for taking the decisions—that is not the Minister—of short-termism.

I can see the attraction of the argument that extending vaccination would not be cost-effective and that herd immunity is coming downstream. Yes, the cases coming through now are historical, in the sense that the disease was contracted 20 or 30 years ago, so well before any immunisation. If we want to save money and damage health at the same time, that is quite a good way of going about it. I am seeking to persuade the Minister of the real value of having the courage—he is not lacking in courage—to take a long-term decision now.

The cost of immunising every adolescent boy within the relevant range in the UK is estimated to be, at the top end—this includes the purchase of the vaccine, which of course has to be negotiated by the health service, and its application—about £22 million a year. That is a lot of money, but in health service terms it is almost a bagatelle. Set against that, I am told by those with real experience, some of whom are sitting behind me in the Public Gallery, that there are about 2,000 patients a year—men in their 50s and 60s—who have developed throat, penile or anal cancers. The cost of treating those is about £2 million a year. Of course, that takes no account of the social costs and the other damage that can be done. In the case described to me this morning, of a surgeon who was taken out of play for a considerable time, the cost of treatment—of a replacement jaw, as well as the chemotherapy, radiotherapy, hospitalisation and everything else that goes with it—is looking like being somewhere between £50,000 and £100,000, and that is just one case.

Sir Roger Gale: I am afraid that I do not. The figure that I have is 2,000 people a year, so one has to assume that it is that—but it is growing.

The reason the condition is becoming more prominent, not less, is the change in sexual attitudes from the 1960s onwards, when practices that were previously unacceptable became acceptable. Oral sex, for example, became relatively commonplace. We can therefore expect, certainly within the next 10, 15 or 20 years, a significant rise in the number of cases. The discussion has to be about what happens after that and whether the herd immunity actually works. I am arguing that it will not, for the reasons I have given.

I have talked about the slow burn, the 20 or 30-year wait, and the costs to the health service, on which the view seems to be, “Okay, fine. Let’s kick that into the long grass. It’s not our problem.” There will be 15 Ministers between the present one, sadly, and the time when people are developing diseases. However, the condition of genital warts, which is also caused by HPV, takes only three, four or five years to incubate, and the cost of that annually is £50 million, so do the maths. The economics of this are unassailable, and on those grounds I defy anyone to challenge my argument. The argument comes down to herd immunity. Will vaccinating girls do the job or not? I have made it clear that I believe it will not, and I think that the time has come for the Department to take a further long, hard look at the issue.

Up to now, the Joint Committee on Vaccination and Immunisation has indubitably taken a short-term approach to this: “Does it work? Well, yes, the vaccine works. Is it worth it? Well, not if we are vaccinating girls. Let’s see what happens—kick it down the line and save £20 million a year today,” even if that means that in 10, 15 or 20 years’ time we will be spending not £20 million but £200 million a year, which will be in addition to all the social costs. I understand that the JCVI will meet in the first week of June. We were promised that a decision on extending vaccination would be taken in 2015. That was deferred until 2017 and has now been deferred without a date being set for the final result.

Before I conclude with a request to the Minister, I want to say this. Chris Curtis, chairman of The Swallows head and neck cancer charity, sent me a video today. It was compelling, because he has been a sufferer himself and he described his own circumstances. I want to say something to the JCVI, to each and every member of that august body, who are of course medically qualified in a way that I am not. What I want to say on behalf of all the people who have been treated and have approached me is what Chris Curtis said at the end of his video. Friends, when you are thinking of kicking this into the long grass because it is not going to affect many people for a very long time and we do not have to concern ourselves with tomorrow, remember what Chris Curtis said, very starkly: “Tomorrow comes very quickly.”

I will not ask the Minister to second-guess the JCVI—that would not be right. I do not believe that this is his decision to make, in the sense that I suspect he is little more medically qualified than I am. Neither of us has the expertise to make this judgment. Will he please convey that sense of urgency about tomorrow to the JCVI, with the firm and genuine request that he wants them to take a long-term view, and to make the decision on the balance of long-term cost, not savings tomorrow?
dish, which most of us were not. Secondly, HPV is a vector. It goes from male to female and from female to male. If I was to alter my hon. Friend’s speech, I would say that the female, from whom the male may get the virus, probably got it from a male in the first place. We have to regard this as an almost endless chain of sexual engagement and the vector going on.

When I was involved in the HPV issue, it was to try to get the Government to bring in genital warts protection for females and to have that added to the cervical cancer vaccination. As it happened, the pharmaceutical company in the town I represent was making the vaccination that did not include it. Somebody came along and pointed out that this might mean a loss of trade for the particular business. I explained that the role and responsibility of a Member of Parliament—of the Government also—is not to put their constituency interest first, but to put the national interest first. My hon. Friend the Minister will not need any reminding that public health first means prevention. The introductory speech should convince those behind the Minister to get things moving.

The arguments for delaying the addition of the HPV protection to the cervical cancer protection were scandalous. Adding to what my hon. Friend the Member for North Thanet said, if we are looking for herd immunity, we should note that, as has been discovered in Australia, it comes twice as fast if young males are offered the protection at the same time as young females. There is the extreme case of those males who only have sex with males—the herd immunity will not get through to them, and that leads to 400 avoidable deaths a year.

The key point is to get herd immunity for everyone far faster. It seems to me blindly obvious, in medical terms, public terms and cost terms, that the sooner that happens, the better. If there is some problem about the run-on of the existing contract only being for a certain number, I say to the Minister that no pharmaceutical company that I know supplying the national health service would object to having its order doubled, so that young males were included with young females.

We look forward to hearing that the Minister is going to have a strong nudge to the Joint Committee. We look forward, in time, to being able to congratulate my hon. Friend on achieving—with Government, the medical profession, the nursing profession and the affected communities—this progress, which has been too long delayed.

9.53 am

John Howell (Henley) (Con): It is a pleasure to serve under your chairmanship, Sir Henry. There is not much more that I can add to the presentations that have been made by my colleagues, but I want to make a couple of points. First, this is not simply about the sexual relationships of gay people. It affects all of us. My colleagues made that point firmly, but we need to make it again. Secondly, this virus is horrible. It is a disgraceful virus—to anthropomorphise a virus. We have heard the descriptions of the cancers that are induced by it.

I want to concentrate on the preventive powers of this vaccination for genital warts. There is a strong case for that. They may appear to be insignificant, but I do not believe that they are; they are much more widely distributed among the population than the cancers induced by the virus. My hon. Friends the Members for North Thanet (Sir Roger Gale) and for Worthing West (Sir Peter Bottomley) have made a compelling case for the immunisation of boys, which I fully support.

9.55 am

Martin Docherty-Hughes (West Dunbartonshire) (SNP): It is a pleasure to serve under your chairmanship, Sir Henry. I am grateful to the hon. Member for North Thanet (Sir Roger Gale) for bringing this debate today. I participated in the debate in June 2016, which the hon. Member for Finchley and Golders Green (Mike Freer) brought to the Floor of the House. I am delighted to be here for this debate. I also congratulate the hon. Members for Worthing West (Sir Peter Bottomley) and for Henley (John Howell) on participating. I am slightly disappointed that more hon. Members are not here, because this is an important debate. It is especially important for hon. Members who happen to be men to understand the issue of HPV and their role in prevention.

Across the UK, the Governments of the various nations are progressing towards what I see as a progressive policy on HPV vaccination. As a Scottish constituency MP, I am delighted that the Government in Scotland are progressing that way and that this debate is taking place in the UK Government. In all good conscience, however, as a constituency MP I also have a role to highlight the issue around HPV and the need for men to be more aware of their role in sexual health, predominantly because this is a public health issue. A great amount of work is being done all over the world, which has impacted on people’s lives.

We heard about issues relating to penile cancer. It would be interesting to know how many hon. Members know that men can get penile cancer. When I was the secretary of Cahonas Scotland, a male cancer charity in Scotland, we did a piece of work with a broad range of men from different socioeconomic backgrounds. The very idea of issues such as penile cancer was an absolute shocker to them. We showed them pictures of men wearing adult nappies. The lived experience of other men dealing with the impact of cancer related to HPV was profound and they did not know anything about it.

This is not just a sexual health issue, but a public health one. Knowledge is power. Knowing more about the issue and being able to make an informed choice to have the vaccination with parental approval is critical in ensuring that young men are protected for the future. Nevertheless, clarity is required—it is a challenge for me to say this to Governments across the UK—on why we are articulating a message about the numbers game, in which it is just about cost. If we relate that to the lived experience of men living with the consequences of not having the vaccination—I believe there may be some in the Gallery today—the clinical evidence needs to inform the economic choice. The clinical evidence is that the vaccination for young men will save lives. That is about understanding the consequences of the failure to give the HPV vaccination to young men. Governments across the UK should no longer be timid. We are being progressive at the moment, but timidity does not save lives.

There is also a difficulty at the core of this debate. In public policy debates on public health, it seems that those of us in the public policy arena—men,
predominantly—are abdicating responsibility by saying, usually through the herding immunisation argument, that the public health and sexual health of young men are down to young women. I do not find that acceptable. I can no longer stand as a Member of Parliament and look young women in my constituency in the eye and say that, from a policy perspective, abdicating sexual and public health to them is acceptable. It is the responsibility of policy makers to articulate a view that young men and young women have the right to this vaccination. In allowing that public policy narrative to continue, we as men are abdicating our responsibility to those young women. That is no longer sustainable.

Historically, it is now 100 years since women over 30 got the vote. How does that relate to this issue? It is about gender being at the heart of a public health debate. We are saying to young women that they are responsible for young men's sexual health, with negative consequences for young men. In the 21st century, that is no longer tenable. It has profound consequences for young men in the future, in relation to cancers, and it is the same stuff that we said to young women in the 19th century: “We’ll just leave it to you when it comes to sexual health.”

The hon. Member for North Thanet said that instances of oral sex were a new thing since the 1960s, but I have to admit, that is news to me. When I look at the historical narrative of sexual—[Interruption.] I sometimes feel as though I might have been born then. The historical narrative of sexual health has traditionally been an abdication of responsibility from men to women. One need only look at the friezes in Pompeii where oral sex is de rigueur. It was no different in the 18th century, when women had to tolerate the sexual norms of men who would have sex with other men and with sex workers, and when the attitude was that women just had to deal with sexual health issues.

In 2018, I make no apology for saying: not in my name. The young men of the UK deserve better, and the young women in my constituency should expect no less from me as their Member of Parliament than for me to say to Ministers—not just here in London, but in Holyrood, Belfast and Cardiff—that we need to take collective responsibility and stop genderising the public health debate. Only then will we create a more equal, fairer and healthier society, in which young men have the opportunity to participate and acknowledge the role they play in sexual health and, in future, to live healthy sexual lives without fear of talking about sex or HPV—and, frankly, without having to tell parliamentarians stories of their sexual activity to bring a debate to the Floor of the House. That is no longer tenable and we need to rise to the challenge.

We need to say to young men and older men who are suffering from HPV that we will do everything in our power as politicians to meet the challenge they have placed before us. We need to say to young women that we no longer accept that they are responsible for the sexual health of young men.

10.2 am

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is a pleasure to serve under your chairmanship, Sir Henry. I thank the hon. Member for North Thanet (Sir Roger Gale) for securing this important and long-awaited debate, and for speaking with such knowledge and passion. I also thank the hon. Members for Henley (John Howell), for Worthing West (Sir Peter Bottomley) and for West Dunbartonshire (Martin Docherty-Hughes) for their contributions. Although we are few in number, due in no small part to the local elections, that has been more than made up for by quality.

As we have already heard, 70% to 80% of sexually active women and men will acquire HPV at some point in their lives. Most healthy people will be able to clear the infection out of their system and will never know that they had been infected, but 3% to 10% of cases lead to serious health conditions. HPV is a major cause of cancers in men and women, and accounts for 4.8% of the estimated 12.7 million new cancer cases occurring annually among men and women worldwide.

HPV is linked to nearly all cervical cancers, 70% to 75% of vaginal cancers, 29% of vulvar cancers, 50% of penile cancer and 85% to 90% of anal cancers in both sexes. HPV can also cause genital warts, as we have heard, which is the most common sexually transmitted disease caused by the virus in both sexes. Why, then, do we vaccinate only girls, when men and women can be infected?

Since 2008, girls aged between 11 and 13 in the UK have been offered the HPV vaccination. My daughter was in the first cohort. As a parent, I was a bit anxious when the new vaccination was rolled out, but I need not have been. The vaccination programme has been mostly successful, with a high uptake of about 85% nationally, and it has made an important contribution to reducing the burden of infection among young women in the UK.

However, there are significant regional differences in the uptake of the vaccine, with the lowest level of uptake of two doses at 48.3% in my region, in Stockton-on-Tees, compared with the highest level of uptake in East Renfrewshire at 95.6%, which is astonishingly high. What steps will the Minister take to address these regional inequalities in the vaccine uptake? How does he expect a herd immunity philosophy to apply in areas such as Stockton in the north-east, where uptake is so low?

It is clear from the ever-growing evidence that it is time to extend the HPV vaccination to boys. The Joint Committee on Vaccination and Immunisation believes that the high uptake in girls protects enough males and makes it cost-ineffective to vaccinate boys too, but that short-sighted view protects only heterosexual men who come into sexual contact with a woman who has been vaccinated, and leaves out a significant proportion of the population. Despite the high uptake among young girls, a heterosexual man still has a one in seven chance of meeting an unvaccinated woman in a sexual encounter.

Men who have sex with men are also unprotected by a girls-only vaccination programme. They are 20 times more likely than heterosexual men to develop anal cancer, but the men who have sex with men—MSM— programme being piloted in England will not be sufficient to protect that population.

Between 2009 and 2014, the median age of the first presentation of men who have sex with men to sexual health services in England was 32 years old. They are therefore likely to have been having sex for many years.
before they attend a sexual health clinic. A recent study of men who have sex with men attending a London sexual health clinic found that 45% had a current HPV infection of a type that could cause cancer or genital warts, which suggests that a significant proportion of them will have already been infected before they are offered the HPV vaccination. Offering the vaccine in a sexual health clinic is too little, too late for men who have sex with men.

In addition, as we know, sexual health services are at a tipping point after demand for them increased by one quarter in the past five years, but at the same time, a tipping point after demand for them increased by one have sex with men.

Offering the HPV vaccination. Offering the vaccine in a sexual health clinic adds to the ever-growing demand on those services, but still excludes a significant proportion of the population and is far too late for some men.

The optimum age for the HPV vaccination to work is around 12 or 13 years old, when boys are unlikely to attend a sexual health clinic or may not be aware of, or willing to declare, their sexual orientation. The only solution to the problem is to offer the vaccine to both girls and boys while they are still at school and not sexually active. That will protect girls and boys from preventable disease.

HPV Action estimates that more than 2,000 new cases of HPV-related cancers are diagnosed each year in men in the UK. Like me, the Minister is passionate about reducing the incidence of cancer in this country. Extending the HPV vaccination programme to boys would be a step forward in doing that.

In response to a written question earlier this year, the Minister stated that the Government do not have an estimate of the number of boys and men each year who are left unprotected against HPV because of a lack of direct or herd immunity. However, HPV Action estimates that, with each year that passes, another cohort of almost 400,000 boys is left unvaccinated and potentially at risk of HPV infection and the diseases it causes. As the briefing I received from the Terrence Higgins Trust says:

“When we have a vaccine that can provide effective protection against such illnesses, it is unacceptable to maintain that vaccinating only one half of the population is sufficient to stop preventable ill health.”

HPV is not gender specific, so the vaccination programme should not be gender-specific either.

This is not a new philosophy. In fact, 14 countries are already vaccinating boys against HPV, or they will be soon. They include Australia, Austria, Bermuda, Brazil, Canada, Croatia, the Czech Republic, Israel, Italy, New Zealand, Norway, Serbia, Switzerland and the US. Compared with their international peers, therefore, boys in the UK are at risk of being disadvantaged.

This is an opportunity for us to play a leading role globally in the elimination of cancer caused by HPV, but we are at risk of letting that opportunity slip away. Since 2013, the JCVI has been reviewing whether to extend the HPV immunisation programme to boys. However, the publication of a final decision has been deferred twice. The thousands of boys who go unvaccinated each year cannot afford to wait any longer and the JCVI must make a decision this year, preferably when they meet next month. I therefore urge the Minister to work with the JCVI as it comes to make its decision, so that both genders can be protected from these preventable diseases.

10.11 am

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): It is a pleasure to serve under your chairmanship, Sir Henry, I think for the first time. I congratulate my hon. Friend the Member for North Thanet (Sir Roger Gale) on securing the debate and bringing this important subject to the House. He was in the Chair the last time I was in Westminster Hall, which was just yesterday. I am surprised that so few Members are present for the debate. As the shadow Minister suggested, perhaps matters elsewhere in the House and outside are occupying their minds.

As my hon. Friend the Member for North Thanet mentioned, our expert group, the Joint Committee on Vaccination and Immunisation, is considering this matter, and it is important that I do not pre-empt its final advice, as he rightly said. That does make the timing of the debate challenging, but I will respond as fully as I can and give as much context as possible.

I will first set out some of the context. In 2008—before I was even a Member of the House—on the advice of the JCVI, an HPV vaccination programme for girls was introduced. The primary objective was to protect against cervical cancer. As the hon. Member for Washington and Sunderland West (Mrs Hodgson) kindly said, my mission in life—not just in my job—is to challenge and beat that dreadful disease. While I am on the subject, I pay tribute to Jo’s Cervical Cancer Trust and the brilliant Rob Music, who leads it—I know that the hon. Lady knows them well. The trust’s work in this area over many years, including with me as Minister, has been truly transformative for many women’s lives.

The HPV vaccine that is used in the UK offers protection against the two types of HPV that are responsible for about 70% of cervical cancers, and since the introduction of our vaccination programme the number of young women infected with HPV has fallen dramatically. Protection is expected to be long-term, eventually saving hundreds of lives each year, which I am sure we all agree is very welcome. Today, however, our focus is on boys and men.

Jim Shannon (Strangford) (DUP): Is the Minister aware of the paper on this subject by Dr Gillian Prue of Queen’s University Belfast? Dr Prue’s six recommendations are very similar to what the hon. Member for North Thanet (Sir Roger Gale) and others have put forward today. They include: first, that both men and women should be vaccinated against HPV-related diseases; and secondly, and more importantly, that the significant human cost of HPV-related diseases should be the primary consideration for including boys in vaccination programmes. If the Minister has not been made aware of the paper, I am happy to furnish him with the copy. Its recommendations are integral to moving forward on the issue.

Steve Brine: Not wishing to mislead the House, my honest answer is that I am not aware of that paper. Whether my officials are aware of that matter—I will ask them. I know that the hon. Gentleman will not be shy about putting a copy in my hand after the debate.

The good news is that HPV vaccination of girls also provides some—I emphasise “some”—indirect protection for boys. When the vaccination uptake rates are high, as they are in England, there are fewer HPV infections in heterosexual males, because the spread of HPV infection
between girls and boys is reduced. There is evidence to back that up; it is not just words. For instance, diagnosis of first-episode genital warts in young heterosexual men between the ages of 15 and 17 declined by 62% between 2009 and 2016. That suggests that there is some—again, I emphasise “some”—herd protection from the existing HPV vaccination programme. However, that is not the start of the story, and neither is it the end, and I have put this on the record that nobody in Government has ever said that it was. Nevertheless, I take the points that have been made today about herd immunity; it is only part of the story.

Of course, it will take much longer to see the impact that the girls programme has on HPV-related cancers, but we should not wait for those results before considering whether more needs to be done now for boys. As my hon. Friend the Member for North Thanet said, this is a slow-burn problem.

Sir Peter Bottomley: It is just a matter of pure mathematics. If 100%, or nearly 100%, of any age cohort—male and female—gets the vaccination, the herd immunity develops much faster than just relying on vaccinating up to 50% of that cohort.

Steve Brine: I think that my hon. Friend is stating facts, and I know that the JCVI officials who are here today will have heard him.

The JCVI keeps all vaccination programmes under review, as it should, and it keeps Ministers informed of any reviews. As my hon. Friend the Member for North Thanet is aware, given the increasing evidence about the link between HPV infection and oral, throat, anal and penile cancers, alongside the incidence of genital warts, the JCVI has considered whether HPV vaccination is now needed for males.

I understand the point that the hon. Member for West Dunbartonshire (Martin Docherty-Hughes) made about the surprise about penile cancer. He has more experience of the subject than I do, but it is not a surprise to me. I work with a very good charity called Orchid Cancer, some of whose staff attend my cancer roundtable regularly. It deals with male cancers and is trying to raise awareness of penile cancer as a challenge in society today. It is an issue that is difficult for society, even for males. It might want to consider whether postponing that decision was right or wrong. In my view, it was wrong. The people at the British Association for Sexual Health and HIV knew that it was wrong, and it took an awfully long time for them to change their minds. Can we please ask them respectfully not to make the same mistake again?

Steve Brine: Those people are nearer to my hon. Friend than he knows, and they will have heard his point.

In his opening remarks, my hon. Friend the Member for North Thanet asked the JCVI to take the long view, and I hope that I can reassure him somewhat on that point. Some examples of what the JCVI is taking into account in its considerations include: the projected future number of HPV cancers resulting from the current incidence of HPV infection; the potential savings as a result of preventing future cancers, which a number of Members have mentioned; the potential savings from preventing genital warts; and, crucially for my hon. Friend’s point, the long-term impact of HPV infection up to 100 years into the future, which will outweigh even him.

The JCVI’s interim advice indicated that to vaccinate boys would be “highly unlikely to be cost-effective in the UK, where uptake in adolescent girls is consistently high.”

It is true that the UK has achieved high uptake for the girls HPV immunisation programme for the past 10 years. In 2016-17, 83.1% of girls completed the current two-dose course. Following a successful pilot in 42 clinics that was led by Public Health England, we announced in February that the programme would roll out across the country from April, and it is now being rolled out. That programme is welcome, but again I fully appreciate that it is not the start and it is certainly not the end of the story, for some of the reasons that the hon. Member for Washington and Sunderland West set out in her very coherent remarks.

Let me turn to the issue of adolescent boys. Of the non-cervical HPV-associated cancers, not all cases are caused by HPV—indeed, the percentage of cases that are attributable to HPV is widely debated. My hon. Friend the Member for North Thanet mentioned The Swallows, which I do not have much contact with, although I have heard of it. I passed a note to my officials asking them to get in touch with the charity as a result of this debate, so it should look out for that. For head and neck cancers, alcohol is an important risk factor to take into account, but HPV does play a role, and that is why the JCVI is considering whether vaccination for boys should be introduced.

The JCVI issued interim advice on HPV last July. As Members know, that was subject to consultation. It is reviewing the evidence ahead of finalising its advice to Ministers. Its members are the experts, and they are best placed to consider the evidence and provide advice to Ministers. That is the system that Parliament has mandated. Parliament could change it, but that is our system.

Sir Peter Bottomley: When the Minister sends a report of this debate to the JCVI, it might be worth him respectfully saying that some of us here are aware of how long it took it to agree to bring in HPV protection even for females. It might want to consider whether postponing that decision was right or wrong. In my view, it was wrong. The people at the British Association for Sexual Health and HIV knew that it was wrong, and it took an awfully long time for them to change their minds. Can we please ask them respectfully not to make the same mistake again?

Steve Brine: Those people are nearer to my hon. Friend than he knows, and they will have heard his point.

In his opening remarks, my hon. Friend the Member for North Thanet asked the JCVI to take the long view, and I hope that I can reassure him somewhat on that point. Some examples of what the JCVI is taking into account in its considerations include: the projected future number of HPV cancers resulting from the current incidence of HPV infection; the potential savings as a result of preventing future cancers, which a number of Members have mentioned; the potential savings from preventing genital warts; and, crucially for my hon. Friend’s point, the long-term impact of HPV infection up to 100 years into the future, which will outweigh even him.

The JCVI’s interim advice indicated that to vaccinate boys would be “highly unlikely to be cost-effective in the UK, where uptake in adolescent girls is consistently high.”
which interventions and treatments should be funded in what we must remember is a publicly funded health system. We need to deliver value for money for the taxpayer and deliver the most health benefit possible to all patients. That is our system.

Mrs Hodgson: I take on board what the Minister is saying for areas where uptake is high but, as I cited earlier, there are parts of the country where uptake is nowhere near high enough, such as Stockton, where it is 48%. How does that work? How does that argument stand up for those parts of the country?

Steve Brine: The hon. Lady makes a very good point. I was hoping to have a note to respond on that specific point about regional inequalities, but I will have to write to her. Perhaps it is something we can discuss offline. That very good point has not been raised with me recently, but I will take it away and follow it up.

My hon. Friend the Member for North Thanet did not mention discrimination and equality, but other Members certainly did. I accept that equality needs consideration in this case, and I confirm that the Department is carrying out an equality analysis. That cannot be completed until we have received the JCVI’s final advice and we know what it is advising and why, but I can confirm that officials will make contact with key organisations such as HPV Action—I met members of it recently at a roundtable I held on cost-effectiveness methodology for immunisation programmes and procurement—and I know that some of them are here today—as they progress the equality analysis to ensure that such views are taken into account. I confirm that the equality analysis will be published, and I will make the House aware when it is.

There have been a number of threats of judicial review related to equality and sex discrimination in relation to HPV vaccination. I do not think it would be appropriate to say more at this stage, but the House will have heard those two commitments.

Mrs Hodgson: On the equality point and the herd immunity point, may I raise the issue of men who have sex with men and the fact that their first presentation at a sexual health clinic could be at the age of 32? Again, there is no way for there to be herd immunity or even for us to extend the vaccination, as we have done in the pilot, to men who have sex with men. There will still be huge numbers of people not covered. Does the Minister agree, and what is he going to do about that?

Steve Brine: The hon. Lady makes her point, and it is not one that I miss, I assure her. That issue forms part of the ongoing deliberations. She has made that point twice, and it is a good point.

I know there are concerns, to put it mildly. My hon. Friend the Member for North Thanet set out the timeline of how long it is taking the JCVI to finalise its advice. However, the consultation raised some important, complex issues around the cost-effectiveness model, and it would be remiss of the JCVI not to ask for those issues to be addressed before it puts the matter on its agenda and makes its final decision. I appreciate that my hon. Friend and other Members want the advice quickly—but I cannot advocate asking the JCVI to cut corners, which would call into question the quality and robustness of its advice and undermine an internationally respected organisation. The JCVI will get its advice on boys to me as soon as it can, and I am certainly expecting it this year. As soon as I have it, we will turn it around as quickly as we can.

I am totally committed to our world-leading vaccination programme. It is an area where this country leads the world. I am as keen as my hon. Friend and other Members present to hear the JCVI’s final advice on HPV vaccination for boys as soon as possible. The JCVI has helped successive generations of Ministers and, as my hon. Friend said, it will help those who come after me—there will be many, and maybe sooner than we think. It has helped Ministers make decisions that are fair and justifiable, and we need to allow it to complete its advice without too many distractions that could slow it down even further, which no one wants.

We have heard an impassioned case for an HPV vaccination programme for boys from, among others, the hon. Member for Washington and Sunderland West, for whom I have so much respect. As my hon. Friend the Member for Worthing West (Sir Peter Bottomley) suggested, I will send a transcript of the debate to the JCVI to ensure that in the unlikely event there are any issues it was not aware of, that can be reflected in its final advice. It is listening to the debate today. For the reasons I gave at the start of my remarks, I cannot give the House an indication of when exactly a decision will be made, or what that decision might be—trust me, I would love to—but I can say that I will prioritise consideration of the JCVI’s final advice as soon as I receive it.

I greatly appreciate the candour with which the Minister has spoken and the positive attitude he takes to this difficult issue. I also understand that from his point of view the timing is not easy, given the imminence of the JCVI discussions. I hope and believe that as a result of all the representations that have been made, not only in this debate but across the piece, the JCVI will now take what to some of us is the obvious decision and, for a relatively small amount of money, create a much better environment for both boys and girls in the future.

To conclude, the Minister said that he had two children. I have five grandchildren. We cannot wait. I quote again the remarks that were made earlier: “Tomorrow comes very quickly.”

Question put and agreed to.

Resolved,

That this House has considered the case for HPV vaccination for boys.

10.30 am

Sitting suspended.
Prison Officers: Working Conditions

11 am

Gordon Henderson (Sittingbourne and Sheppey) (Con):
I beg to move,

That this House has considered the working conditions of prison officers.

Before I begin, I should explain that I have three prisons in my constituency, and I have raised regularly in this House issues that concern people working in them. As I have done on many other occasions, I pay tribute to the fantastic men and women who work in Elmley, Standford Hill and Swaleside on the Isle of Sheppey. I am immensely proud of those dedicated, hard-working professionals, who work in an extremely challenging environment, facing the threat of violence almost daily with few complaints and a great deal of courage.

Violence is not the only issue that concerns prison staff—I intend to talk about numerous other issues later—but I will start by addressing it. Ministry of Justice figures show that violence in our prisons is at its highest level since records began. In the last quarter, there were 21,270 prisoner-on-prisoner assaults, of which 3,029 were serious. At the same time, there were 8,429 assaults on prison staff, of which 864 were serious. In one quarter alone, about 4,000 serious assaults took place. Given the nature of what constitutes a serious assault, I suspect many were carried out using some form of offensive weapon.

The Serious Crime Act 2015 made it an offence to be in possession of an offensive weapon, so I would expect action to have been taken against those assailants. However, during 2015 and 2016, there were just 149 prosecutions, which hardly seems to be a deterrent to potential troublemakers. Such a low prosecution rate means that offenders know that if they attack a prison officer, they will probably get away with little more than a slapped wrist.

The lack of prosecutions against violent prisoners by the police and the Crown Prosecution Service has been a long-standing bugbear of mine. I have pointed out on a number of occasions—I make no apology for doing so again—that if a police officer is attacked while on duty, the full weight of the law rightly comes down on the attacker. However, if a prison officer is attacked while on duty, too often nothing happens. That cannot be right.

There are a number of reasons for the increase in violence, and I will touch on a few of them. There has been an increase in organised crime in prisons. I have heard stories of prisoners resorting to violence to avoid the risk of early release because their criminal activities in prison are so lucrative. There has also been an increase in the number of gangs in prisons: they are behind much of the organised crime, including the supply of drugs, which is big business.

The use of drugs in prisons is a huge problem, as I am sure we are all aware. A steady supply is smuggled in by visitors, corrupt prison staff and, increasingly, drones. My local prisons have introduced drone-exclusion zones, but they have no real means of enforcing the ban. The problem will be solved only by installing in every prison a system to detect, track and jam drones before they reach their destination.

Another concern is the increased incidence of prisoners smoking Spice and other harmful drugs in their cells. When prison officers enter the cell, they are at risk of harm from inhaling the lingering smoke. I know of a young prison officer in one of my prisons who was seriously affected by the inhalation of Spice fumes and had to be sent home because he was so ill. To counter that, gas masks should be made available to prison officers who enter cells in which it is suspected that an inmate has been smoking harmful substances, such as Spice. Stopping the flow of drugs is essential, and prison officers believe that the task of detecting drugs will be improved by the use of more sniffer dogs in prisons. I urge the Minister to consider that.

Drugs are not the only issue making the management of our prisons difficult. Mobile phones are also a big problem, as they are used to conduct much of the illicit business in prisons. People perhaps do not realise that mobile phones can be used to take photographs of prison officers, which can be sent to contacts outside the prison, who then intimidate them. The Prisons (Interference with Wireless Telephony) Act 2012 was supposed to help solve that problem by allowing phone signals to be blocked, but I understand that there have been difficulties implementing the Act. That is why I welcome the new Bill going through Parliament, with Government support, which will make it easier to prevent the use of mobile phones in prisons.

Combating prison violence can be problematic for a number of reasons, including the lack of control in some prisons. For instance, the Prison Officers Association alleges that prison managers sometimes fail to stick to the agreed regime management plans, which are put in place to set out work practices based on the number of officers available at any given time. The POA claims that some prison managers ignore RMPs because they fear the reaction of prisoners if they are not allowed out of their cells, even if there are not sufficient prison officers to supervise them. That leads to too many prisoners being unlocked without proper supervision. I should add that there is no evidence that that is happening in any of my prisons.

That leads me nicely to another problem: the lack of prison officers. The Prison Service is in the process of recruiting more officers. Like the POA, I welcome that recruitment drive, but the influx of new recruits has presented its own challenges. Under benchmarking, the Prison Service lost thousands of experienced prison officers. They have been replaced with young, inexperienced officers, who are being asked to manage increasingly violent prisoners. We must do our bit by giving them the tools they need to do their job safely and effectively. One such tool is PAVA—pelargonic acid vanillylamide—which is similar to a pepper spray and is widely used in the police force. The Prison Service is piloting the PAVA in four prisons, and the results have been extremely positive.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I congratulate the hon. Gentleman on securing this debate. I rise as the co-chair of the justice unions parliamentary group. He made a comparison with police forces. I have taken part in the police service parliamentary scheme, which enables MPs to gain a fuller understanding of the nature of the work that we expect public servants, including prison officers, to do. Will the Minister consider establishing in prisons something along the lines of the
police service parliamentary scheme so that Members of Parliament can go into that environment? I appreciate it is very dangerous, but we could none the less learn much from it and take away much that would be of benefit to our public servants.

Gordon Henderson: I welcome that intervention, and I will talk about that issue later in my speech.

I met my local police chief inspector, who happens to be a very small woman, and she said that, without PAVA, she would not be able to do her job on the beat. Between November 2017 and February 2018, HMP Bedford recorded 23 assaults on staff, of which two were classified as serious, whereas, HMP Preston, which has a larger prison population, recorded just eight assaults on staff, of which one was classified as serious. It cannot be a coincidence that, during that period, officers in Preston were issued with PAVA, but those in Bedford were not. The use of PAVA seems to be a no-brainer. I urge the Minister to roll out its use and issue PAVA to all prison officers in all prisons without delay. I would also like to see made available to prison officers rigid handcuffs, radios and body-worn video cameras.

The environment in our prisons gives rise to another big concern. Unlike police officers and firefighters, prison officers have to work until they are 66 years old. Over time, that will increase to 68.

Mr Alister Jack (Dumfries and Galloway) (Con): My hon. Friend is coming on to changing the pensionable age for prison officers. Recently, I visited HMP Dumfries in my constituency and was most impressed by the prison officers and the standard of their work. They expressed concern about the pensionable age being 68—as they put it, 68 is too late. I agree with them. Not everyone is physically robust at that age and, if they are not, does my hon. Friend agree that those prison officers should be found jobs in offices so that they need not be on the frontline?

Gordon Henderson: I certainly agree with that, but the problem is, what happens when the administrative jobs run out? What do we do with them then? I think there is another solution. Police officers and firefighters have dangerous and physical jobs, which is why they are allowed to retire early. Prison officers, too, have dangerous, physical jobs. I believe that the time has come to allow them the same rights as their colleagues in the police force and the fire service.

John Howell (Henley) (Con): I have a number of personal case studies from prison officers at the prison in my constituency. One of the issues that they have flagged up is that changes have, in effect, blocked their ability to be promoted, because to accept promotion, officers have to sign up to the lesser conditions, so we are losing the experienced officers whom we so need to run our prisons. Is my hon. Friend aware of that and does he share those concerns?

Gordon Henderson: Yes and yes. That is just another example of the way in which those in the Prison Service—prison officers in particular but also other prison staff—are treated as second-class citizens of the public service. It is time for us to treat them in exactly the same way as police officers and firefighters.

Equalising the retirement age, for example, would help to make the role of a prison officer more attractive, as would increasing the salary structure. It is difficult to recruit prison staff because they are paid less than other public sector workers, such as border staff. A lot of prison officers who leave the service become border staff. Is it any wonder that a very small minority of corrupt prison officers are tempted to earn money on the side by turning a blind eye to criminal activity in prisons?

As I have pointed out before in the House, it is particularly difficult to attract staff to work in Sheppey’s prisons, because local people can earn more working in a warehouse than they can working in a prison. I believe that my prison staff are worth more money, and they should be paid what they are worth. There is also a frustration among prison officers that they are seen simply as turnkeys. That, too, is wrong. They are not jailers. They are not prison guards. They are prison officers. They should be treated with the respect that their position deserves.

One way to enhance esteem for prison officers would be to make better use of them in other roles, such as in the provision of education and healthcare to prisoners. An inmate is more likely to respect a prison officer if they know that that officer is helping them in some way. That is simply human nature.

I am not expecting—surprise, surprise—the Minister to wave a magic wand and to deliver immediately all the measures that I have suggested. However, it would be nice if he at least acknowledged the important role of prison officers and pledged to start some of the reforms needed to make their working conditions better.

Finally, I have another special request to make of the Minister—the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) touched on this earlier. I was invited by my local prison officers to spend a day with them on the frontline. I agreed straightaway. I thought it would be a good way of understanding better the conditions in which they work. But I made one condition: I would join them only if I was able to wear a uniform and to be treated in the same way as a prison officer, so I could really know what was going on at the coalface. I am sure other right hon. and hon. Members with prisons in their constituencies would like to do the same. Unfortunately, the Prison Service ruled that I would not be allowed to take part in such an exercise. I would be really grateful if the Minister encouraged the National Offender Management Service to change its mind.

11.14 am

The Minister of State, Ministry of Justice (Rory Stewart): It is a great pleasure to serve under your chairmanship, Sir Henry.

I pay tribute to my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson). It is important for the Houses of Parliament to focus on prisons and in particular on the service of prison officers. As my hon. Friend pointed out in his substantial and eloquent speech—he is extremely well informed, with three prisons in his constituency—and indeed as my hon. Friend the Member for Dumfries and Galloway (Mr Jack) and for Henley (John Howell), and the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts)
pointed out in their interventions, we have a very strong debt of obligation towards our prison officers. Prison officers are very unusual uniformed public servants. They generally operate outside the public eye, and prisons are not places that the public generally visit. That is why I wish to come on to that good idea of a parliamentary scheme suggested by hon. Members.

The job of prison officers is very unusual. On the one hand, it has some of the features of the job of the police, in so far as they are dealing with criminals and therefore with a lot of violence and trauma but, on the other, a particular set of skills is also required. Unlike a police officer, a prison officer may often see the same individual hour after hour, day after day, week after week and even year after year, having to provide a moral exemplar for such individuals on their journey towards ceasing reoffending. Prison officers are helping to educate and support them, as my hon. Friend the Member for Sittingbourne and Sheppey pointed out, in everything from healthcare through to employment.

The challenge presented by my hon. Friend is what we can do practically to help prison officers in their daily work—and, my goodness, they face a challenging situation.

John Howell: I am fascinated by the idea of providing opportunities for Members of Parliament to work in prisons. I happen to be the deputy chairman of the Industry and Parliament Trust. Will the Minister work with me to see whether the trust might develop a form of fellowship to take the idea forward?

Rory Stewart: My hon. Friend makes a very generous offer. We are incredibly interested in that, but the real thing that we need to make the idea work is Members of Parliament prepared to do it. If the hon. Member for Dwyfor Meirionnydd, my hon. Friend the Member for Sittingbourne and Sheppey and even my hon. Friend the Member for Henley are interested in being part of a parliamentary scheme, we really have got something to take to the head of Her Majesty’s Prison and Probation Service: I can say not just that this is a theoretical idea, but that we have real, living Members of Parliament who are genuinely interested. We can set up a pilot scheme, learn from what happens in the armed forces and the police service parliamentary schemes, and look at the potential support suggested by my hon. Friend the Member for Henley. That would be an incredibly useful thing.

For anyone listening to the debate who is not aware of such schemes, the amazing idea behind the armed forces and police parliamentary schemes is that Members of Parliament can see for themselves what people are going through on the frontline. In fact, legislation considered on Friday, partly on behalf of the police, was driven in part by the hon. Member for Halifax (Holly Lynch), who had been on the police scheme and had been inspired by seeing the action of police officers. So the scheme has changed legislation here in Parliament.

To accelerate, what useful things can we do for prison officers, apart from paying tribute to them for their extraordinary service, intelligence, commitment, honour, loyalty, courage and resilience, and for the way in which they work with unsociable hours and difficult people? Concretely, there are three different types of thing. My hon. Friend the Member for Sittingbourne and Sheppey touched on terms and conditions, but that I will not touch on today, because we are in confidential discussions with the public sector pay review body, looking at exactly the issues raised, such as those of how we move people from the pre-existing closed-term contracts to the new fair and sustainable contract, and the difference in salary compared with other employment opportunities.

To give one small example, of which my hon. Friend is probably aware, in the Isle of Sheppey we pay an increased amount to attract people away from competing professions, such as in transport or the police, to get them to work in the Prison Service. There is much more to be said about that, but I want to talk concretely about the equipment that we can bring in to try to make a prison officer’s life better. We talked about PAVA spray—pepper spray, in other words. My hon. Friend also talked about the introduction of rigid handcuffs and discussed other equipment being proposed, including suggestions for stab-proof vests, body-worn cameras, which we are rolling out across the estate, and CCTV. All that will increase the confidence of the prison officer in dealing with the prisoner.

We also need to be able to prosecute prisoners who assault prison officers. We were very proud, on Friday, to be able to double the maximum sentence for anybody who assaults a prison officer from six months to 12 months. But that requires the Crown Prosecution Service to bring those prosecutions. Too often, as my hon. Friend pointed out, there has been an attitude that, somehow, assaulting a prison officer is different from assaulting a police officer on the street.

Gordon Henderson: That is a particularly sore point with me. The CPS standpoint has always been that it is not in the public interest to prosecute a prisoner who is already in prison. It may not be, but it is certainly in the interest of the staff who have to suffer those assaults.

Rory Stewart: It is 100% in the public interest to prosecute prisoners who assault prison officers. If they are not prosecuted, the authority of the state is undermined; it becomes almost impossible for prison officers to run a decent and human regime, very difficult for people to be unlocked from their cells and difficult to move people into education and purposeful activity.

If the education and purposeful activity and the decent and safe environment of the prisoner are not delivered, the prisoner is much more likely to reoffend when they leave that prison. That is a direct threat to public safety; therefore, as my hon. Friend implies, the Crown Prosecution Service must prosecute prisoners for attacking prison officers. We owe that to prison officers, but we also owe it to the public as a whole to have safe, clean and decent prisons. These are our prisons; in the end, prisoners are citizens who come out and reoffend on the streets. We have to restore discipline.

My hon. Friend spoke about drugs and the importation of mobile telephones. In the end, those issues can be dealt with. There are basically only five ways in which mobile telephones or drugs can get into a prison—after all, there is a fence around the prison. They can be thrown into the prison, flown into a prison, dragged into a prison, posted into a prison or carried into a prison. Every single one of these ways needs to be addressed.
We address the issue of people flying things into prisons by tackling drones; of people throwing things into prisons by the use of nets and proper yard searching; of people dragging things into prison by identifying the wire set-ups that run into prison windows; and of people posting things into prison—for example, a letter impregnated with Spice so it can be smoked can be photocopied. But we have not been good enough in England for nearly 40 years is searching humans going in and out of prisons.

Scotland is different. I venture to suggest that it is not a coincidence that the violence and drug rates have been lower in Scottish prisons and that there has been much more regular routine searching of people going in and out of Scottish prisons. I do not think that is an accident. I would be very interested in working with the Prison Service to pilot in 10 prisons increasing the security and routine searching at the gate, to see what would happen. But that will not be enough—many other things need to happen. At the core are people: the prison officers themselves.

There is no point in my standing here and pontificating about the Prison Service because there are more than 100 prisons. With the best will in the world, even if I visited two prisons a week, I would not be able to visit them all in a year. There are more than 20,000 prison officers and 84,000 prisoners. In the end, good prisons depend on good people. That is about recruiting, training and promoting the right kind of people and managing people in the right way.

How do we recruit the right kind of people? We search for exactly the values we are looking for. We train them by focusing on institutions such as Newbold Revel, the prison officer training college, to make sure people feel proud of being prison officers. I am very interested in reintroducing the passing out parade—getting families in to applaud people as they graduate from that training college, so that they feel they are extraordinary public servants, protecting our nation through their work. They need to feel that in their uniform, in their passing-out parade and in every day of their work.

We need to get the training right when people enter, and when people move into the custodial manager role. We need to think about how supervisory officers on the units, even if they do not have formal line management responsibilities, can mentor and drive those young, inexperienced staff. In many prisons, 60% to 65% of prison officers have been there for less than a year; we need supervisory officers to be able to work with them, to give them the confidence and the jailcraft to manage those prisons.

Then, we need to think about what happens at the governor level. How do we make sure that we do not end up in the situation that my hon. Friend found in a prison in his constituency, where there were four governors in five years? We need governors to stay longer in the prisons. We need them to be formally trained before they arrive in those prisons. One of the key determining features in trying to work out why one prison is performing well and another is not has to do with questions that are very difficult to put on paper. We sit here and look at staff numbers, drug levels and the age of the building, but the biggest constant is always the human factor: the culture of that prison and the prison officers, the nature of the leadership and management, the morale of the place and the way in which people work together.

This has been a really important debate. From our point of view in Parliament, we are very proud that there are three Bills on their way through the House of Commons that will help prison officers. One of them is doubling the maximum sentence for assaulting a prison officer. We have another Bill going through that will focus on new psychoactive substances and testing of drugs in prison. We have a third Bill going through the House that focuses on excluding mobile telephones from prisons.

Legislation on its own is not enough. It is about public understanding and support for one of the most unique, precious and impressive services that we have in the United Kingdom. That is why I believe that the proposal, made today by my hon. Friend the Member for Sittingbourne and Sheppey and the hon. Member for Dwyfor Meirionnydd, and supported by my hon. Friend the Member for Henley, of a parliamentary scheme focused on telling Members of Parliament about the Prison Service will be an enormous help in getting legislators to understand how much our prisons matter to our society and, above all, understanding how much we owe our prison officers.

Sir Henry Bellingham (in the Chair): I congratulate the Minister on an outstanding speech, made just from schematic light notes.

Question put and agreed to.

11.28 am

Sitting suspended.
Reduction of Plastic Waste in the Marine Environment

[SIR EDWARD LEIGH in the Chair]

2.30 pm

Sir Edward Leigh (in the Chair): We come to a debate about Government policy on reducing plastic waste in the marine environment. Everyone can see that quite a large number of Members wish to speak. I ask colleagues to bear that in mind when they make their speeches. I may have to impose a time limit. I call Mr Alistair Carmichael to move the motion.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I beg to move,

That this House has considered Government policy on reducing plastic waste in the marine environment.

It is a pleasure, as ever, to serve under your chairmanship, Sir Edward. Another week, another debate on plastics in the marine environment. I welcome the Minister back to her now familiar position. I consider myself fortunate to have obtained this debate, and I am delighted to see such a healthy turnout of Members from all parts of the House.

This issue has become quite fashionable of late. It has certainly come to public attention since the BBC screened its “Blue Planet” series last year. But what people now understand is something that I as an islander, and others who live in coastal communities, have known for some years—that the amount of plastic in our marine environment has been growing exponentially for years and is now a massive danger to us all. People just have to walk along any beach to see that. The part of the world I represent is famed for its clean environment, but I come back to how I, as an islander, see the world. So many people see the sea as something that divides us from other places; as an islander, I see it as something that joins us to other places. People who take that view understand that with that attitude comes a shared responsibility for ensuring that our marine environment is as clean as it can be. However, the right hon. Gentleman is absolutely right that what we do in this country is only the tip of the iceberg, so to speak. Inevitably, we will need to work much more closely with people in other parts of the world. I will touch on that later.

The Environmental Audit Committee estimates that we use about 2.5 billion single-use cups, and that only one in 400 of them is recycled. Consider the report in The Guardian today about the way in which wet wipes are changing the shape of our river beds. Thames21 found no fewer than 5,453 wet wipes on 116 square metres of the Thames embankment near Hammersmith. Of course, what starts in our rivers eventually ends up in our oceans.

James Gray (North Wiltshire) (Con): I congratulate the right hon. Gentleman on securing this extremely important debate. Before he moves off the subject of cups—this may be a matter that you wish to raise with the House authorities, Sir Edward—is it not absurd that we are having this debate surrounded by non-reusable plastic cups? Surely, we in this Parliament should lead the way by replacing them with glasses or at least reusables.

Mr Carmichael: I presume that the hon. Gentleman is, like me, a signed-up member of the campaign for a plastic-free Parliament. I was fortunate to be given a coffee glass by the World Wide Fund for Nature as I came to the Chamber. He is absolutely right—that is just one good illustration of how we have become so cavalier about our use of plastics.

We all know—we have seen the pictures—where plastic ends up. Turtles mistake plastic bags for jellyfish and eat them; plastic debris is lodged on coral reefs, which affects the health of the reef and has an impact throughout the marine food chain; and microplastics are consumed by animals as small as plankton, work their way up the food chain and are eventually consumed by us at the top.

Stephen Kerr (Stirling) (Con): I congratulate the right hon. Gentleman on securing this debate. Let me go back to the issue of wet wipes. There is a lot of misleading information on packets, which suggests wet wipes are flushable and leads users to believe that they are biodegradable. In fact, all that means is that they pass through the U-bend and end up in the system, as he described. That is an important advertising and packaging issue, which should be addressed by the makers of wet wipes.

Mr Carmichael: Although I am delighted that a Minister from the Department for Environment, Food and Rural Affairs is here, this issue will impact on just about every area of public policy if we are serious about tackling it meaningfully. The Government’s role is probably the most significant, but I am resistant, as ever, to the notion that the Government can do everything for us. There are any number of interests at play and places where behaviour can be changed for the better.
There is a role for us all as individuals—in particular as consumers. If we say to supermarkets, “No, we’re not going to come to you. We will go to a supermarket like Iceland,” which has committed to reducing plastic packaging, every supermarket will soon sit up and listen. I recently got my Friday lunch in the Peerie Shop café in Lerwick, and I was gladdened to find that it now has compostable knives, forks and spoons in its takeaway section. That is not a massive expense, but it is a demonstration of commitment—and a demonstration of that café’s commitment to providing what its customers want. There is a business incentive and imperative here.

There is also a role for local government. The provision and operation of recycling facilities will be crucial. We will doubtless talk about the operation of a deposit return scheme, which I hope will increase massively the amount of material there is to be recycled. In fact, it is a bit like flushable wet wipes—there is no point gathering recyclable material if we do not have the capacity to recycle it. Among the representations I received ahead of the debate was a fairly minded one from Harrogate Water Brands, which produces water. It explained that a lot of the plastic that is described as single use is single use only because we do not recycle it, and pointed out, quite fairly, that only about half the material in the plastic bales that local authorities supply for recycling can be used for recycling, as opposed to 95% in the United States and 99% in France.

There is a role for business. I commend Sky in particular, which has not just run its ocean rescue campaign but, in its business operations, taken the goal of becoming plastic-free seriously. It has a target of being plastic-free by 2020. I was struck by the difference that will make. One company of a reasonable size—but not that big—says that by “eliminating plastic from all Sky offices...it is estimated we will save 560,000 water bottles and 7 million coffee cups per year through our operations.”

That is a good illustration of a company responding to what its customers would want.

Then there is the role for Government—or perhaps I should say Governments. As I said in response to the right hon. Member for East Yorkshire (Sir Greg Knight), 90% of plastics in the oceans come from 10 rivers, and tackling that will obviously require international co-operation. That is the nature of the marine environment; UK action alone will not be sufficient.

I will have some questions later in relation to a specific international issue, but I hope the Minister will have noted Sky—a significant company but one that is not that big—and its target to be plastic-free by 2020. That goal contrasts, in a way that should raise questions, with the targets set by Government for our economy as a whole, which would take us closer to 2040. When Government action and targets are being so outstripped by corporate effort, perhaps we should consider whether we are being ambitious enough.

I welcome the ban on microbeads, although it is still not complete. A microbead that is washed off someone’s face may not be allowed to enter our watercourse or our oceans, but surely a microbead could enter the watercourse and the marine environment if it came from a suntan lotion or similar. A complete ban on microbeads would be the logical conclusion to the brave and innovative work already taking place.

I welcome the commitment to introducing a deposit return scheme, but the detail remains sketchy. I appreciate that we have yet to hear about a consultation, but we should be able to agree on the broad principles. I commend to the Minister the work of Greenpeace, which has come up with some fairly broad headings that she could do worse than include in her consultation. The first of those headings states that there should be no cost to central Government, with administration funded by the scheme, and cost savings for local authorities. Secondly, the only cost to consumers should be to those who do not return the containers they purchase and pay a deposit on. Thirdly, there should not be a cost for small retailers, for a whole range of reasons—our small shops and retailers are already struggling in the current environment—but there is a strong case for including larger retailers in such a scheme. Fourthly, it suggests charging producers an administrative fee for each container manufactured, and a one-off contribution to start-up costs.

Surely we can agree that, at its heart, a deposit return scheme should include all sizes of vessel—and, indeed, plastic, metal and glass. Only then will it be effective. The Minister will be aware that the Scottish Government have already started down this road, and that is the approach they are taking. I suggest there is a benefit to us all in having a single scheme across the whole of the United Kingdom.

James Gray: I am puzzled by the bottle return scheme. Of course, on the face of it, it is a good thing: in so far as bottles are recyclable, we can bring them back into use and that is great. However, what happens to the non-recyclable materials gathered back through those means? Surely that material will end up in landfill, as it does at the moment. What will we have achieved?

Mr Carmichael: I am not sure that I share the hon. Gentleman’s understanding of what is involved in the return scheme; of course, the consultation is there for that, if necessary. To take his hypothesis as correct, at the very least we would have succeeded in separating the different constituent parts, and that in itself is valuable.

I am conscious of time and the number of Members who wish to speak, so I will try to canter on. The last concern on which I seek the Minister’s comments is the introduction of a so-called latte levy: a surcharge for the use of disposable cups from coffee shops. The Marine Conservation Society recommends something in the region of 25p for each non-reusable drink cup, or indeed a reduction for those who bring a cup to the store themselves. There is a parallel with the plastic bag levy introduced under the coalition Government, which has been a spectacular success: there was an 85% reduction in the use of plastic bags in the first year of its operation. Is that because when we hand over £100 or whatever for our weekly supermarket shop, we think, “I’m not going to spend another 50p on plastic bags”? I do not think so. The introduction of the levy made people consider their behaviour and the impact it would have. I suggest to the Minister that a levy of the sort proposed by the Marine Conservation Society would have a similar impact and could be transformative. I commend it to her for departmental consideration.

I have some technical points in relation to the revision of the EU directive on port reception facilities and how that will impact on campaigns such as the fishing for
litter scheme, an initiative run by KIMO that I have supported for many years. In view of the time I have taken—notwithstanding interventions—I will spare the Chamber my comments on that, but the Minister can expect them to land in her correspondence bag in the near future.

Several hon. Members rose—

Sir Edward Leigh (in the Chair): Order. I will impose a five-minute time limit on all Back-Bench speeches.

2.47 pm

Zac Goldsmith (Richmond Park) (Con): I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing this important debate. I suspect that most of us in the Chamber watched “Blue Planet II”, which reminded us—if we needed reminding—of the magic of the natural world. We were sickened by the sight of those giant, swirling plastic continents—some are bigger than France—that we have created. More than 1 million birds and 100,000 sea mammals and turtles die each year because of the plastic we continue to dump—some 12 million tonnes globally a year. We learnt that 90% of all seabirds tested last year were found to have plastic in their gut.

We have treated the environment with contempt, like a giant rubbish dump. It is hard to imagine anything more stupid. It appals all normal people. None of us wants to be part of the problem, but most of us, if not all, are, simply because it is so hard to escape plastic—it surrounds us. There are plastic cups, which have already been identified, as well as plastic water bottles, sandwich wrappers, plastic knives, forks and spoons, plastic straws and plastic stirrers, which inexplicably are still available in so many pubs. Totally unnecessarily packaging encases so much of the food and other products we buy in supermarkets.

We need to recognise and understand that as a consequence of a form of market failure. These things are used for a few seconds but last in the environment for many hundreds of years, and it is not the producers who pay the cost; we all do. This is a clear area where the market has simply failed to spot the cost of these products, which is why Government action is not only important but absolutely essential.

It has to be said that, relative to other Governments and other countries, what we have done is impressive. The 5p bag levy, which has already been mentioned, has been a tremendous success. We have banned microbeads and are therefore world leaders in that department. Our commitment to bring in the deposit return scheme for bottles and other products, and our commitments to ban straws, those absurd stirrers and plastic cotton buds are all excellent. I salute the Secretary of State for the leadership he has shown. Nevertheless, relative to the problem we face, those are baby steps, and we need much, much more.

We need to set up an urgent plan, a roadmap toward a genuine zero-waste society, and part of that must mean banning single-use plastics across the board and making it easier for the recycling business to recycle what we use. It is crazy, for example, that all local authorities have different rules on recycling. That just creates a confusing mess, and the sheer variety of plastics on offer does not help. We should be seeking to limit the range of plastics available, as Japan has done, to make it easier for things to be recycled and to make it certain that those products that are used can be recycled.

Where companies make things that cannot be recycled or repaired, they should be subject to some kind of higher tax, which can itself be recycled to pay to help those companies that are doing the right thing. That tax would, in a sense, be their paying for their own pollution footprint. Where companies are doing the right thing, we should help them. For example, the big retailers are a huge part of the problem today, but they could so easily become a huge part of the solution. The laggards need to be pressed by Government, and the pioneers need to be helped, perhaps through VAT reductions or reduced business rates, which could be paid for through those pollution taxes.

To know what is possible, we need only look at those pioneers. In January, we heard from the supermarket chain Iceland that it was to become the first major UK retailer to eliminate plastic packaging for all its own-brand products within five years. Iceland, by the way, was also the first big supermarket to ban the use of palm oil, which is devastating the world’s forests, particularly in and around Indonesia.

I will cut back what I was going to say, or I will run out of time. As has already been said, this is not just an issue for the Department for Environment, Food and Rural Affairs or the Treasury, but an international issue, and therefore an issue for the Department for International Development. We have already heard that 90% of waste enters the oceans via just 10 rivers. That must be a priority for DFID, and I think we would find that even those people—not myself, I have to say—who are sceptical of that Department’s existence and our commitment to spend 0.7% of our annual budget on it would find this an issue that we should prioritise. I think Government action in that regard would be met with a big round of applause.

To give one example of those rivers, I discovered this morning that the Yangtze carries 1.5 million tonnes of plastic into the ocean every year. The Thames carries just 18 tonnes. That shows the sheer scale of the problem coming from some rivers, and it should be a priority.

I have something to ask the Government to do, before I add my complaint about the plastic cups, but I am going to reverse the order. I cannot tell hon. Members how many Select Committees have written to the House authorities saying, “We’ve got to get rid of these plastic cups,” how many individual MPs have echoed those campaigns for a plastic-free Parliament. It is absurd that the cups are still here. I cannot understand it. Is it apathy? Is it incompetence? Is it lack of interest or laziness? I do not know, but there is no justifiable reason why they should still be here today. I hope my hon. Friend the Minister will take that message to the highest levels.

Several hon. Members rose—

James Gray: On a point of order, Sir Edward. The point that my hon. Friend the Member for Richmond Park (Zac Goldsmith) has just made is terribly important. It is hard to understand why the House authorities have
not taken note of our calls for the abolition of plastics in Committees. Is this not a message that you, as the Chair, should be able to take to Mr Speaker and the Committees of the House, in the hope that they will finally listen to us?

Sir Edward Leigh (in the Chair): I am sure that all colleagues will exercise their good judgment.

2.54 pm
Martin Whitfield (East Lothian) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward, and to speak in this timely and important debate. I will go back to May 2017, when Greenpeace’s ship the Beluga II visited the Bass rock in East Lothian, bringing with it water sampling equipment to test the microplastics in the area. The Bass rock is important because it is the world’s largest northern gannet colony. The children who came out to see the Beluga II were so excited, enthralled and enthused by what they saw that they took up a beach clean and took it upon themselves—aged between seven and 11—to clean up the beach. They did that having spoken not just to those who come out and advertise such things, but to the scientists who were on the ship, who explained to them the damage that the plastic did.

That work moved on in East Lothian with Surfers Against Sewage, a group that rightly has great interest in what is in the seawater for its sport. It worked with Dunbar primary school, one of only 20 schools to have been awarded the title of ocean guardian, and works year on year with beach cleans of that sort. Hugo Tagholm, the chief executive of Surfers Against Sewage, has said that it is willing to provide the basic equipment for beach cleans. More importantly, it says:

“From grassroots to Government, the time to act is now.”

That is why today’s debate is so timely, because what happens in the very near future will make such a difference to our seas.

We have already heard mention of the Sky Ocean Rescue campaign. When the plastic whale, which has also visited Parliament, visited Musselburgh in my constituency, children flocked to see it. But they also went down again with the rangers of East Lothian Council to clean the beaches of plastic. I was privileged to be with them when they were interviewed by Sky. The children did not say they were doing it because Sky was there. They did not say they were doing it just for half a day away from school. They were stunned that people still dropped litter.

These primary school children understand something that, apparently, people forget as they grow older. They were aghast at what they found on the beaches. When it was suggested to them that perhaps it was teenagers who had dropped all the bottles, they said, “No it’s not; it’s adults,” and they picked the bottles up. That is testament to our young people and their understanding of the environment, which is something to be hopeful about and something we should promote.

In East Lothian, we have a charity called Fidra, which looks at the problem of nurdles. Nurdles are the small plastic balls that go to make all the plastic bottles we see. Nurdles are how raw plastic, for want of a better description, is transported around the world, and they make up an astronomically large proportion of the plastic damage in our oceans. The difficulty is that, much like the microbeads, once they get into the water, they are impossible to get out. Fidra is working hard with companies to change the way that nurdles are transported and to change business procedures, in order to prevent spillages and prevent the nurdles getting into the ocean.

Fidra also uses beach cleans to raise awareness of the matter. Working with children at Yellowcraig, a truly beautiful beach in East Lothian, over 400 nurdles were collected in just five minutes. That is a phenomenal amount to have washed up on a beach. Industrial spillage and mishandling then cause nurdles to float and travel around the world.

Douglas Chapman (Dunfermline and West Fife) (SNP): I also attended a nurdle hunt in North Queensferry with members of Fidra. While there is a great sense of displeasure from children and parents that this is happening to their beach and their environment, what steps can we take to get that message through to the people who produce the plastics in the first place, to ensure that we do not have to have beach cleans, but can have a policy that prevents it from happening in the first place?

Martin Whitfield: That intervention brings me on to Operation Clean Sweep, an agreement that has come up from the plastics industry and is supported by both the British Plastics Federation and PlasticsEurope. The Operation Clean Sweep manual provides practical solutions to prevent nurdle loss for those who make, ship and use nurdles. The key message, of course, is good handling to reduce pellet loss and pellet use, which in turn goes to the type of plastic being used.

However, the work by young people, volunteer groups and charities will not be enough without political and, if necessary, legislative support. The EU is promoting the target of 2030 as the year by which member states should have phased out single-use plastics. The UK Government’s proposal of a 25-year environment plan appears to be, with all due respect, more of a repackaging of existing policies and previous announcements—I sincerely hope that the repackaging is not in plastic. It is our children who go to beach cleans, and our surfers who use the water. Through the conduit of the plastic whale and the nurdle hunts, they attack this issue with passion, enthusiasm and commitment. Unfortunately, those children will be in their 30s when the Government have caught up. We owe them more than that.

3 pm
Steve Double (St Austell and Newquay) (Con): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing the debate. Like him, I represent a beautiful area of stunning coastline; it is one of only three constituencies that have separate coastlines. I grew up in Cornwall and have noticed over my lifetime—growing up and spending as much time as I possibly could on beaches—the increasing amount of plastic being deposited from the sea on to our beaches and how that developed into something that we could no longer ignore. It is almost as though, collectively, the British public have had a lightbulb moment. For generations we have been abusing the seas that surround our country, seeing them as just a dumping
site where we could throw anything, but we have suddenly come to the realisation that we cannot go on vandalising the seas that surround us.

A team effort has got us to this point. Hon. Members have mentioned the role that “Blue Planet II” played in bringing this issue to the public’s awareness. There has also been the Sky Ocean Rescue campaign. Newspapers have been involved; the Daily Mail has run a campaign on the issue. That has all contributed to getting us to this point.

I also pay tribute to the Cornwall-based charity Surfers Against Sewage, which I work closely with as chair of the Protect our Waves all-party parliamentary group. That charity has been campaigning since 1990 for us to stop abusing our seas and take action to clean them up and improve the quality of the water. It started by focusing on sewage and recently has been working to address the way plastic is affecting our oceans. Just two weekends ago it mobilised 35,000 people—I understand that it was one of the biggest volunteer mobilisations in the country—to carry out beach cleans right across our country, and they collected more than 65 tonnes of plastic from our beaches in just one weekend. That demonstrates just how much plastic is washed up on our beaches every day of the year.

Just as it has taken a team effort to bring this issue to the public’s awareness, so we now have, I believe, an unstoppable national grassroots movement, which is determined to address this issue, reduce the amount of plastic that we use and stop plastic polluting our marine environment. It will take a team effort to address it, and I believe that much of the pressure will come from consumers as they begin to demand that retailers and industry use less plastic in their packaging. I encourage every member of the British public to use their power as a consumer to force industry to make the necessary changes and cut back on the amount of plastic we use.

Clearly there is also a role for Government. We should congratulate the current Government on the action they have taken to start to address this issue—far more than any previous Government—and we should be proud of them for that. I am talking about the 5p plastic bag charge, which has resulted in 9 billion fewer plastic bags being used in our country, the microbead ban, the action to address straws and cotton buds, and the commitment to find a way to bring in a deposit return scheme to increase recycling.

Alex Sobel (Leeds North West) (Lab/Co-op): I thank the hon. Gentleman for outlining those measures, many of which came from the Environmental Audit Committee, on which I and other hon. Members in the Chamber serve. That Committee also suggested charges on disposable coffee cups, which has not come forward as a measure. What does he think about charges on disposable coffee cups—the so-called latte levy?

Steve Double: I thank the hon. Gentleman for that intervention. I agree that there has been a team effort within Parliament. The Environmental Audit Committee has played a role, as has the APPG that I chair. Many hon. Members, on both sides of the House, have played a role in sending a clear message that the Government need to take action, and the Government have responded and acted in a very responsible way to start to address that. The coffee cup challenge is a difficult one. It is very easy to say what we will do, but we have to work with industry to find a sustainable solution that will reduce the amount of plastic that we throw away and not do untold damage to our economy in the process. It is therefore right that the Government think carefully and consult on these issues; they must work with the industry.

Only yesterday, I met a company—that thinks it has found the solution to the coffee cup challenge. I hope that it will be able to bring that forward, but we also need to recognise that, in the supply chain, businesses have invested tens of millions of pounds in the current packaging system and it is therefore unrealistic to expect them to throw away that investment overnight and change the way they do things. We need to work with industry to come forward with sustainable solutions to the problem. I would love to see action taken, but we must ensure that it is the right sort of action. It is therefore right that the Government consider the issue carefully, rather than just jumping to a conclusion.

In the time left to me, I will make a point that has already been made. This is a global problem. It is very important that the UK takes a lead—that we get our own house in order so that we can take a lead internationally on the issue—but we have to work with other countries. It was good to see the progress that was made recently with the Commonwealth countries. Many of us would like to have seen more progress, but a step was taken forward, which is very welcome. We also need to use our influence around the world, through our aid budget and the Foreign Office, to ensure that we call other countries to account and that global action is taken to clean up our seas.

3.6 pm

Jim Shannon (Strangford) (DUP): I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on bringing this issue forward for consideration; I thank him for that. All the speeches so far have been excellent. I was raised learning that the Earth is the Lord’s and all within it belongs to Him. I was taught to be frugal and thrifty—or, as the girls in my office say, as an Ulster-Scot I am tight. Perhaps some of the boys, and ladies, in this Chamber will understand what that means. I do not like to buy things unnecessarily; that is a fact. If a mistake is made printing letterheads, the paper is turned over and used for other purposes. If envelopes have lost their stickiness, I put sellotape on them and make sure that they are used. It is a matter not simply of working to keep costs down, but of being a good steward. I believe that that is my job as an individual and one that we should be doing in the House.

The hon. Member for East Lothian (Martin Whitfield) referred to plastic bags. I hail from Northern Ireland: we were the first country in the United Kingdom of Great Britain and Northern Ireland to introduce charges for plastic bags. We took the lead—we did the business, and everyone else followed. It is great to lead and have others follow; we enjoy doing that. The 5p per bag protocol was perhaps hard for some people to understand, yet as time has progressed there has been no more complaining, as people have got into the routine of putting bags in their cars. People adjust and get used to it; people do what has to be done.
The same goes for the introduction of recycling as a must for the local council. Black bins are collected in alternate weeks and recycling the other week. People have to think before they bin things which, again, is the right way to do it. What are the results, from a local perspective? The local rates were kept down directly from money saved in landfill costs. Every year 8 children enjoyed a day seeing why we recycle and the difference that it makes. As has been said, it is a case of educating future generations to think differently from us. We as adults do not have the savvy that children have when it comes to litter and recycling, but we need to learn.

Has it been worth it thus far? The report that I read in a national newspaper, which indicated that the number of plastic bags found on the seabed has plummeted, suggests that it has. There have been some good things. It is all very well to be negative and critical, but at the end of the day we have to be positive as well. However, as is to be expected, plastic bags are not the only issue facing the marine environment. We are winning the war on plastic bags, and winning hearts and minds, but more has to be done.

As hon. Members have said, 8 million tonnes of plastic makes its way into oceans each year. Experts estimate that plastic is ingested by 31 species of marine mammal and more than 100 species of seabird. More than 9 billion fewer plastic bags have been used since the Government introduced the 5p charge. That is enough to wrap around the world more than 100 times. It is an outstanding reduction of 83%—good news—but we have to do more. The deep sea is now littered with plastic items, including bottles and fishing debris. The amount of plastic in the world’s oceans is touted to treble within a decade. If that does not shock us and make us want to do something, I am not sure what will.

The annual beach survey by the Marine Conservation Society recorded a 10% rise in litter in 2017. September’s “Great British Beach Clean” collected an average of 718 pieces of rubbish every 100 metres. There were 701 items per 100 metres in Northern Ireland—the second worst in the United Kingdom, so we have a lot to learn as well. It is good to highlight this matter, but it is equally important that we bring people along with us to understand exactly why steps are being taken and why we are asking people to remember to bring their reusable bottles and containers, and to stop using straws and so on.

Douglas Chapman: I get the impression that the public are a step ahead of the Government and legislation. They are already prepared mentally and attitudinally to make the change. I spoke to our friends from Plastic Free Dunfermline, a group in my constituency that tried to make our town plastic-free. They talked about not applying levies or negative instruments on people, but being positive by encouraging retailers to provide water in the town’s shops, so that people can take a bottle and have it refilled at any point. Does the hon. Gentleman agree with such simple ideas?

Sir Edward Leigh (in the Chair): Order. If we have too many interventions, not everybody will get in.

Jim Shannon: So that more people can get in, Sir Edward, I will not take extra time. I thank the hon. Gentleman for his intervention. I wholeheartedly support what he said.

Many people may knee-jerk react and resist, but we are not eco-warriors on the attack. We should be eco-educators coming alongside people, as that will be more successful. I look to the method of my local council with regard to those who persist in refusing to recycle: three strikes and your bin is not lifted. Then they know what they need to do. The gentle approach has meant that very few bins are not lifted, and people in the borough are coming to terms with recycling in a way that is not offensive but inclusive. That is the approach that the Government—I look to the Minister—should use. We have a duty of care to our environment, but also to help people understand. Our approach must reflect that.

3.12 pm

Stephen Kerr (Stirling) (Con): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing this important debate. I stand as the Member for Stirling, a landlocked constituency, but, as the right hon. Gentleman said, the issue captures the imagination of constituents and matters a great deal to them.

I wholeheartedly welcome the recent Government announcement of their intention to ban the sale of plastic straws, drink stirrers and plastic-stemmed cotton buds in England. I also welcome the Scottish Government’s consultation and proposal to ban the manufacture and sale of plastic-stemmed cotton buds in Scotland, and there are reports that the Scottish Government might also consider banning plastic straws at the end of 2019. I strongly urge Her Majesty’s Government and the devolved Administrations to work together in the development of those policy instruments. The Welsh Government have already said—

Anna McMorrin (Cardiff North) (Lab): I thank the hon. Gentleman, who was about to turn to the Welsh Government, for giving way. Does he agree that Wales has been leading the way in this area as the third best recycling nation? Furthermore, it is very ambitious with a recycling and zero-waste target by 2050. Of course there is more to do, but Wales is certainly leading the way.

Stephen Kerr: I thank the hon. Lady for her intervention. The Welsh Government are absolutely right to say that it is good for us to co-operate across these islands. Just because something is devolved does not mean that we should not work together to get the job done, and I hope that that is what will happen. I hope we will not see a divergence when there can be commonality and collaboration.

Recycling is a feasible solution, and stimulating the development of the market for recycled products is essential. In my constituency of Stirling, Graham’s Dairy is working with its bottle supplier, Nampak—also based in Stirling—to develop milk bottles that use significantly less plastic, yet maintain the same rigidity and security for the milk that we all buy. It uses a significant amount of recycled material in its bottles and that pays dividends in costs and allows its product to be more sustainable into the long term.

The innovations by Nampak to create a milk bottle that uses significantly less plastic is worthy of note, as are attempts to make a plastic that will degrade safely
over a shorter period. We should never underestimate the entrepreneurial spirit and inventiveness of British innovators and entrepreneurs, and we should do everything to encourage it.

There is a lot of talk about a deposit scheme, and I am very much behind that principle. Many of us in Scotland mourn the loss of the Barr deposit scheme. Returning your Irn-Bru bottle for money off your next purchase gave the bottles value and meant that consumers were rewarded for returning them and behaving in an environmentally appropriate way—so the cycle of Irn-Bru drinking would continue. This cyclical economy for waste, in which the packaging is returned and reused, is worth aspiring to.

There are lots of details to be worked out. Packaging is complex; the materials involved are sometimes not as simple as they appear to be and can be remarkably varied. Often the complexity of the materials makes recycling almost impossible and certainly makes sorting more difficult. The issue becomes about how to control what we create and what we demand as a society. How do we simplify and amalgamate our product packaging to ensure that it is simple enough to be disposed of? The issue becomes about how we treat the packaging as a part of the supply chain and how we as consumers behave. As the hon. Member for Dunfermline and West Fife (Douglas Chapman) said, consumers are ahead of the wave in this respect.

I conclude with an apocryphal story from the constituency of the hon. Member for East Lothian (Martin Whitfield). Last week, it was reported that a packet of Golden Wonder crisps from 1967 had been found on a beach in East Lothian. Neil McDonald found the 50-year-old wrapper while cleaning up a beach in the hon. Gentleman’s constituency. STV News reported that it had apparently survived half a century beneath the dunes and may have been unearthed by heavy winds hitting the beach. The ready-salted packet of crisps had a promotion on it to enter a competition to win a Triumph estate car. That is how they were able to date the packet of crisps to 1967.

What Mr McDonald said is worth dwelling on in this debate. He was shocked when he discovered the age of the packet and how it had been preserved. He said:

“It was buried under the sand but I could see the corner edging out. I was very surprised, it’s quite frightening how durable these plastics can be. It’s a real indicator that we need to do more to control what goes into the ocean and on the coasts.”

That is incredibly profound and I genuinely believe that by innovating around packaging, both design and material, we can create solutions to the marine plastic challenge, which can then be exported around the world, as has been mentioned by several hon. Members. By innovating to change habits and create new disposal techniques, we can lead the way on systems that can be adopted by the rest of the world.

Several hon. Members rose—

Sir Edward Leigh (in the Chair): Order. In an attempt get everybody in, the time limit will now be reduced to four minutes—with no more interventions, please.

3.18 pm

Robert Courts (Witney) (Con): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing this debate, which is timely and extremely important and means a great deal to me personally. I am a lifelong conservationist. I am particularly interested in birds and marine life. I am a member of my local wildlife trust and, with particular relevance to this debate, a member of the Maritime Conservation Society and a diver. I am not only interested in the things we have been discussing today, but I can see with my own eyes the beauty of the oceans and have a real personal interest in ensuring that they are clean and fit for us and for future generations.

The interest in the oceans and our environment and in keeping them clean and pristine goes way beyond those who simply use them for recreation. The “Blue Planet” programme has of course been referred to. It is intrinsic in all of us that we have an affinity for the natural world, but particularly for the oceans. Perhaps we think of the Apollo photographs with the “blue marble” floating in space, that the oceans and our part in them are all wrapped up together and that they are intrinsic to our feeling for the natural world. Whatever the reason, it none the less matters hugely to us all.

My constituency, like that of my hon. Friend the Member for Stirling (Stephen Kerr), is landlocked, but a great many rivers run through west Oxfordshire and of course flow to the sea. Water pollution and quality are big issues in my constituency; they matter a great deal to my constituents. The statistics bear that out: 12 million tonnes were discarded last year, 80% of which was lost on land, in rivers such as those that flow through west Oxfordshire, ending up in the sea. Only 57% was collected for recycling, although west Oxfordshire has a relatively high recycling rate—one of the highest in the country—but more must be done. We must put a stop to the problem. We must work to eradicate plastics in the oceans, for all our sakes in the years to come.

A lot has been done—I welcome everything that the Government have done. They have already taken great strides, particularly under the current Secretary of State, and things have become turbocharged: banning microbeads; the incredibly successful approach to single-use plastics introduced under the coalition Government; the bottle deposit that has been mentioned already, and which is extremely encouraging; and the ban on straws, cotton buds and stirrers.

However, there is more to do. We must do more on recycling, and the issue must be introduced to people’s education. It is a question of personal choice: we have all had the battle between conscience and convenience, when we go to buy a coffee and wish that we did not have to use a disposable cup, or water and we wish we did not have to use the plastic bottle—but we do. That is why the Sky Ocean Rescue campaign was so significant. We can all get into the habit of using those water canisters every time we go to buy a bottle. The Government are consulting, in the 25-year environment plan, on free water fountains so that wherever people are they can fill a canister for free, without having to buy water and, as a by-product, the plastic they do not want.

In addition, we must simply reduce the amount of packaging that we use. I commend Iceland for its attitude to reducing its plastic use. I echo all that has been said
about working with industry. Producers have a role, and there are excellent innovators looking at ways to find better plastics, or to reduce or reuse plastic—perhaps using biodegradable materials when plastics are unavoidable.

The UK is leading the world. The Government have taken necessary and brave steps and the 25-year environment plan is a big part of what they are doing. We are on the right track, but the oceans are our shared heritage. Their health is our responsibility, and we must get things right.

3.22 pm

Colin Clark (Gordon) (Con): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing the debate.

The marine environment stretches way beyond our 200-mile territorial waters, but that does not reduce the UK’s responsibilities. However, it is staggering to discover that, as other hon. Members have mentioned, 90% of plastic pollution in the seas comes from 10 major rivers, eight of which are in Asia, the others being the Nile and the Niger in Africa. As my hon. Friend the Member for Richmond Park (Zac Goldsmith) has said, the Yangtze is a major producer, but the Ganges produces an estimated 900,000 tonnes. That is why I welcomed the announcement by the Secretary of State for International Development of her Department’s commitment to support research and carry out waste management pilot programmes. We should also consider conditional aid. On so many fronts, it is great news: livelihoods and health will be protected, the oceans will be cleaned up and jobs will be provided for some of the world’s poorest people.

Reducing plastic loads by 50% in the rivers ranked in the top 10 would reduce the total river-based load going to the sea by 45%, according to research by Christian Schmidt. There is an estimated 8.3 billion tonnes of plastic in the world. What is at issue is not the propensities of plastic, but what we do with it. If 10 rivers are largely responsible for getting discarded plastic to the ocean, it is obvious, if we follow the 80/20 rule, what our priority should be. The US and Europe are not mismanaging their collected waste; the plastic in developing world rivers is due to littering, industrial and building waste, and poor waste collection. We in the west should, of course, reduce plastic use and lead the way on recycling, but China alone is estimated to cause 2.4 million tonnes of plastic waste. That is 28% of the world total. The US, the biggest consumer country on the planet, produces 77,000 tonnes, or 1% of the total.

Many of those taking part in the debate will reasonably ask Ministers why we are not moving faster in the matters of plastic bottles and coffee cups, and why the 25-year plan is not more ambitious. I am conscious of the time and will cut my speech short, but I shall end with something that the Environment Secretary said recently.

“When it comes to our seas and oceans, the challenge is global so the answer must be too.”

3.25 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is, as ever, a pleasure to serve under your chairmanship, Sir Edward. In passing, I wonder whether the Triumph car lasted as long as the crisp bag with the promotion for it. I suspect not.

I welcome the debate, at a time when the Government are already being proactive in addressing public concern about plastic waste and, in particular, its impact on the marine environment. The subject is close to my heart, as for 10 years as a local councillor in Ayr I undertook a weekly litter pick—land-based, not sea-based. My thanks go to Cathy, Mary, Ross, Betty and David, and many others who were a great help over that decade. I also thank the local Rotary clubs for their annual contribution to a beach clean that lifts tonnes of litter from the lovely beaches around Ayrshire. However, as has been said, that approach, though welcome, is not the answer.

Discarded plastic places the natural balance of the marine ecosystem at risk, including the lives of many marine species. Off the coast of my constituency is Ailsa Craig, an attraction for tourists and ornithologists. Among the birds that nest on the island are a colony of puffins which were recently reintroduced. It would be shameful if discarded plastic caused a decline in their numbers or indeed the numbers of any other coastal seabirds. I am advised by Plymouth Marine Laboratory that the six commonest seaborne litter items are on the increase year after year. The majority, but not all, come off the land: they are small plastic items, plastic food packaging, wet wipes, which have been mentioned, polystyrene foam, balloons and, not surprisingly, nylon fishing nets. Up to 80% of seaborne plastic has been discarded on land, having found its way into the sea via rivers and estuaries, but at some point it must have been discarded by our fellow human beings in a range and variety of countries throughout the world.

The ban on the manufacture of plastic microbeads in rinse-off cosmetics and personal care products came into force in January 2018, with a ban on their sale to follow. That step forward by the Government is surely welcome. On 18 April 2018 the Government announced their intention to ban the sale of plastic straws, drink stirrers and plastic-stemmed cotton buds in England. I commend the Scottish Government. They are consulting on banning plastic-stemmed cotton buds and will have set a determined target to end the use of plastic straws by 2019. The use of single-use carrier bags has fallen by 83% since 2015, which is, again, to be welcomed.

I recently visited a holiday park—Turnberry, near Girvan. Those who run it have, of their own volition, taken it upon themselves to end the use of plastic straws, plastic stirrers and single-use cups. I commend that organisation and any other that has taken up the cudgels to improve the environment. I welcome the Government’s consideration of several initiatives, such as bottle return deposit schemes, bottle refill points and a levy on single-use coffee cups. Amn’t I pleased that I do not drink coffee! I am a tea drinker—perhaps it will apply to tea as well. They are also considering an extension of the 5p charge for single-use carrier bags.

It is important that all nations throughout the world work together with manufacturers and retailers to reduce dependency on plastics. My thanks go to those companies, such as Iceland, that have indicated support for ending the use of single-use plastic. The Government’s 25-year environment plan is to be commended. One could call it ambitious, and it is the right thing to do, but I think it could be more ambitious, and it could be accelerated, because there is an appetite among the British public to end the catastrophe happening in the oceans.
The Government can exert better influence. We need, as I have said, to work with other nations throughout the world. With a bit of effort we can end this disaster.

Sir Edward Leigh (in the Chair): I call Damien Moore. You have three minutes.

3.29 pm

Damien Moore (Southport) (Con): It is a privilege to serve under your chairmanship, Sir Edward, and to follow my hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant). I am grateful to the right hon. Member for Orkney and Shetland (Mr Carmichael) for securing this debate on one of the most pressing environmental issues of our age. I represent the seaside constituency of Southport, which has a long-standing maritime culture, and like all those who have seen the scale of this issue at first hand, I know that it can be solved only by co-ordinated international action.

Just as coal dust in our cities was the unfortunate by-product of the first industrial revolution, plastic in our oceans and maritime environments has become the by-product of the second. It is essential that our Government—indeed, every national Government—act now. I am delighted that DEFRA now has at its helm the most prominent Secretary of State for that Department for a generation, and under his stewardship I am sure that these often under-reported issues will be given the attention they deserve.

It is terrifying that 8 million tonnes of plastic are released into the ocean each year, and with the emergence of the new tiger economies, that number is badly set to rise. Much of the plastic that finds its way into oceans ends up in one of the main ocean gyres, where it spins around in giant whirlpools, devastating marine life, and is almost impossible to remove. The plastic that does not fall into a gyre invariably floats around the sea until it washes up on land, damaging the local ecology, disrupting tourism and presenting health hazards.

The results of the great British beach clean undertaken by the Marine Conversation Society show that litter on our beaches is up by 10%, with a staggering 718 pieces of predominately plastic rubbish found in every 100-metre area cleaned. Southport’s beach is famously big and stretches out to the horizon. If we apply that statistic to the town’s beach, I dread to think how many pieces of plastic and other detritus are covering it at this very moment. Whether or not they consider themselves to be environmentally conscientious, I am sure that all Members present will share my sadness about that fact.

I am a great believer in the 25-year environmental plan, and a UK with absolutely no plastic waste is an achievable goal, despite the amount of plastic debris discarded every day. A quarter of a century is the first step. Be it bottles, bags or microbeads, plastic has destroyed our oceans, killed our marine life and ravaged our maritime environments for too long. It is my hope that we are now on the cusp of serious change.

3.32 pm

John McNally (Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Sir Edward, and I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing this debate. He made some good points about plastic waste, which is now a fashionable topic. The Government are now at a privileged moment in time in which to take further action on the pollution of our environment, and I hope they take that opportunity.

Members have demonstrated the will to work across the devolved Parliaments. The hon. Member for Richmond Park (Zac Goldsmith) made superb points about market failure. He reiterated that there is confusion regarding the disposal of a vast amount of products in our shops. Reducing VAT on such products would be a superb nudge to everyone involved in making and disposing of them.

I thank all previous speakers for their views on this highly important issue. I am delighted to take part in a debate on a topic about which I feel strongly, namely the scourge of plastic pollution on the environment. The hon. Member for Stirling (Stephen Kerr) mentioned Barr’s Irn-Bru deposit scheme. How far-sighted of that company, which started in the Falkirk area—[Interruption.] I thought you would like that, Stephen.

While watching the magnificent “Blue Planet”, I was struck by how much we have to thank David Attenborough for ending his TV series with the theme of protecting our marine life. It is a subject close to my heart, and I know the public feel strongly about it, too. Many of my constituents have contacted me about it, and in my work with the Environmental Audit Committee the fight to halt the pollution of our seas by plastic waste goes on.

Scotland has been praised for leading the way in this battle. Nurdle hunt events on beaches in my constituency and East Lothian have allowed people to see how many tiny pieces of plastic litter our rock pools and sand. Because of that, and other awareness-raising events around the country, people have increasingly added their support to combating that creeping threat to waterways. We welcomed the successful UK ban on microbeads, which is a positive move in the ongoing war against pollution. However, the ban covers only products that are designed to go down the drain, which does not even include cosmetics, never mind consumer products. More must be done.

As you know, Sir Edward, many individuals and companies are undertaking good initiatives. For example, on Sunday 29 April I was invited to attend the 100th anniversary of the Falkirk and District Boys Brigade service at Larbert Old church. The Very Rev. Dr John Chalmers, who was a former moderator, spoke and his message was very clear. His speech was captivating. It was about where our planet came from, how it began, and he spoke about “great radiance”, and how we must look after this planet. Those words were not lost on anyone attending the service, especially the young people present. They get the message, and so should decision makers in this place.
Scotland’s decision to charge 5p for a plastic bag was taken up across the UK—I might have a disagreement here with my friend from Northern Ireland, the hon. Member for Lagan Valley (Jimmie Shannon)—and that was another good move for the environment. Sadly, after Brexit we have no guarantees from the UK Government that Scotland will still be in charge of its own laws for protecting our clean water and land. We must keep pressing for answers, and we will.

On my visits to local supermarket giants Asda and Tesco, it was encouraging to see their work to reduce plastic in their products and packaging. Ordinary items such as cotton buds cause real problems for marine life. Through time, they are gradually broken down into small plastic fragments that are scattered through our waterways. That is a massive problem, and we must all do our bit to help reduce it. The Co-op ceased using microbeads in its products in the ’90s, as did Falkirk’s Scottish Fine Soaps Company.

There is more good news, and creative thinking, in a scheme that involves authors and illustrators, including Quentin Blake and Robert Macfarlane, from the publisher Penguin Random House. That new campaign centres on reducing the use of plastics in the book industry. Authors4Oceans asks publishers, book shops and readers to reduce the amount of plastic they use by finding eco alternatives to the bags, straws, bottles and single-use cutlery that ends up at the bottom of the sea. Even its jiffy bags are going to be plastic free.

The alliance between big business and the public is what gets things done and brings about change. The rising tide of plastic waste in the ocean has been described by the UN oceans chief as a “planetary crisis”. How can we disagree with that? There is increasing public appetite for urgent action. It is a horrific fact that in some parts of the sea there is now more plastic by weight than plankton, and that impacts on the environment, wildlife and people. The quantity of plastic in our oceans grows by about 8 million tonnes per year, and plastic production is set to double.

DEFRA’s marine litter monitoring, which measures the number of items found on the sea floor, found an increase of 150% last year. Meanwhile, the UK approach to this crisis remains rather inward-looking. Let us get away from this silo-thinking. Unlike Scotland and Northern Ireland, the UK seems to lack a clear plan. Although the UK marine strategy acknowledges plastic as a problem in the context of marine litter and as a danger to wildlife, the Environmental Audit Committee’s inquiry into plastic bottles criticised it for its weak analysis. The EAC identified the need for more research, and outlined a basic environmental monitoring programme. Actual measures were sparse—surely the precautionary principle would suggest that we act as well as research the problem. The only monitoring of floating plastics under the marine strategy is a DEFRA initiative to measure the prevalence of plastic items in the stomachs of dead seabirds, especially fulmars, that members of the public have found washed up on the beach. A fulmar is roughly the size of a small chicken, and it only eats plastic that looks like fish eggs—I have here some nurdles; these are what kill the birds—so that plan will not detect items such as floating water bottles.

Marine issues are transnational, and the EU’s integrated maritime policy provides the framework through which the UK and its neighbours strategise and legislate for the future of their seas. What will happen to that co-operation post-Brexit? Amid the uncertainty, we have an onslaught of words and announcements, including consultations on charges for single-use plastics and a deposit return scheme for England. As hon. Members know, the Scottish Government have already committed to such a scheme. Local authorities in England and Wales can issue on-the-spot fines for litter louts, but what about fly-tippers who refuse to pay up?

The Government’s Waste and Resources Action Programme has signed up major retailers and manufacturers to its plastics pact and promises a “resource revolution”. That is good, but it does not go far enough, because there is no enforcement mechanism. The UK Government are taking a soft approach by refusing to implement practical solutions recommended by the EAC such as the 25p latte levy, and instead they seek voluntary agreements with coffee chains.

The UK Government have sought only voluntary agreements for manufacturers and retailers to reduce plastic packaging. Like the hon. Member for St Austell and Newquay (Steve Double), I would like to use the nudge principle and colour code all plastic bottles and coffee cups in green, amber and red, to make it simple, so that when people have the thing in front of them, they can put it into the appropriate coloured bin. For example, action on microbeads was limited to a narrow class of products, against the advice of the EAC. There is too much reliance on citizen participation, though it is great to clean up litter and collect research data. Austerity is forcing local authorities to cut essential services that are needed to help them meet litter-related targets.

Over the years, I have felt that my concerns with environmental issues have often fallen on deaf ears. I do not feel that any more. I think the public are behind us and we are finally realising that there is no such thing as throwing something away on our poor, choked planet. I will conclude by saying that if you want to change the world, you get busy in your own little corner. The EAC has already done that and it has served this Parliament well.

3.40 pm

Holly Lynch (Halifax) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward. I join other hon. Members in paying tribute to the right hon. Member for Orkney and Shetland (Mr Carmichael) for securing this important debate. Like other hon. Members, on both sides, he articulated incredibly well how taking action on plastic waste will require a variety of approaches, not simply legislation.

Like the constituencies of the hon. Members for North Wiltshire (James Gray) and for Richmond Park (Zac Goldsmith), the shadow DEFRA team has also sought to engage with the House authorities on the prevalence of single-use plastics across the parliamentary estate. We, too, have...
The Minister and I share a passion to see plastic straws become a thing of the past. Last year, I wrote to the top 20 bar and restaurant chains in the country, urging them to adopt a “straws on request only” policy and asking them to stock biodegradable straws only for those who do require them. The response was positive and several major chains responded with a commitment to remove straws from their businesses. Upon realising that plastics have crept into tea bags, Labour’s DEFRA team sent letters to the top tea bag producers, urging them to consider plastic-free alternatives. Responses are coming back from these firms and it has been reassuring to see the appetite for action on this specific product, which is just one of so many products that we will need to consider redesigning.

We recognise that the priority for marine pollution at present is stopping plastics getting into the oceans. This will of course require changing consumer behaviour and business practice, as well as improved product design. It will also require Government leadership to encourage recycling and incentivise making single-use plastics unavailable. Yet our concerns about this Government stem from the fact that they have failed to bring forward a single piece of primary legislation on any of their announcements on the environment since the last election. The deposit return scheme for plastic bottles really highlights how the Government’s environmental policy is quick to get the headlines, but much slower to take action in reality. The Secretary of State has now confirmed that a consultation on the specifics of a deposit return scheme will have to wait until the conclusion of the ongoing single-use plastic tax consultation by the Treasury.

The Minister will already be aware that, as a country, we use 13 billion plastic drinks bottles every year, but more than 3 billion are still not recycled. Why is it taking Government so long to introduce a deposit return scheme, when 700,000 plastic bottles are littered every day? We are told to expect a date of 2020, but with so much uncertainty at present and timelines sliding across a range of DEFRA policy areas, when will we see a commitment that a deposit return scheme will be introduced?

It is a similar story with coffee cups. Some 99.75% of disposable coffee cups used in Britain are not recycled. In 2011, it was estimated that we threw away 2.5 billion coffee cups a year in the UK, and the figure will have inevitably increased since then. A poll for The Independent found that 54% of the public support a latte levy of 25% on all drinks sold in disposable cups. Businesses are taking the lead, as we have heard, with Starbucks trialling a 5p surcharge at 35 locations across London, and Pret a Manger, Costa Coffee and Greggs all offering discounts for bringing a reusable cup. The Secretary of State seemed to be taking serious action on the issue. As hon. Members may remember, in January he highlighted the issue by handing out reusable coffee cups to all members of the Cabinet. Yet once again, after a few good headlines, the action failed to materialise when the Government rejected the latte levy in March. I would be grateful if the Minister outlined what steps, if any, the Government are planning to take to tackle the problem of disposable coffee cups.

To add to this inaction in preventing plastic waste, we are also concerned about the Government’s approach to recycling the waste that is already produced. Progress on
recycling must be driven through a comprehensive framework. Hon. Members will be aware that the EU has brought forward a target of 2030 for phasing out single-use plastics. Compare those ambitious targets with the Government’s 25-year environment plan. While the EU is outlining exactly where targets need to be met, the Government’s plan states that they will be developing ambitious new future targets and milestones, but that it will take 25 years to tackle single-use plastics. I am glad that the Government have now agreed to support the EU targets. However, it is concerning that, as we leave the EU, we stand to lag behind our neighbours on this issue.

Finally, it would be remiss of me not to mention that cuts to local authorities have impacted on their ability to collect waste in a timely and efficient manner, as we have heard. An increasing number of councils are opting for collections every three weeks, with many introducing increased charges for bulky waste or garden waste collections. Although some of the Government’s work in this area is certainly welcomed, we would all like to see efforts go much further.

There is undoubtedly an international element to this work, as we have heard. I hope that the Minister can explain why, despite the profile given to the issue of marine pollution and plastics at the recent Commonwealth summit, only four Commonwealth countries joined the Government’s clean oceans alliance.

To conclude, we look to the Minister to allay our fears and show that the Government are about actions as well as headlines. I hope that she will commit to taking the boldest steps to combat the consumption and littering of single-use plastics, which do so much harm to our cherished marine environments.

3.50 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):

It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing the debate. I am pleased to inform the House of our progress in addressing the global issue of plastic pollution in the marine environment. The hon. Member for Halifax (Holly Lynch) talked passionately about wanting to introduce biodegradable straws, and I am pleased that we will be able to do that in due course. We must be able to prevent and tackle waste wherever it appears, which is why it is important to work on a domestic and a global scale. We work with multilateral organisations, such as the G7, which is developing a plastics charter, and the UN on the clean seas initiative. Through the International Maritime Organisation, we collectively oversee the international convention for the prevention of pollution from ships, which is of similar importance.

At the Commonwealth summit two weeks ago, the Prime Minister outlined her key priorities for oceans. The 53 nations set out a Commonwealth blue charter, which highlighted the key things for tackling issues affecting the blue sea. It was important that we could work together to find an interest in how to develop the responses to some of those challenges, particularly those that focus on improvements to oceans and plastics.

During the Commonwealth meeting, we announced with Vanuatu that we had set up an agreement in which Commonwealth member states will join forces in the fight against plastic pollution by pledging action and enterprising approaches, such as the global ghost gear initiative, which seeks to encourage the greater removal of one of the most dangerous forms of marine litter. Seven countries have come forward so far in support of the alliance: New Zealand, Australia, Kenya, Ghana, St Lucia, Fiji and Sri Lanka. Engaging companies and non-governmental organisations will be essential to meet the challenge of plastic pollution.

The Commonwealth clean oceans alliance will work in partnership with the World Economic Forum, Sky, Waitrose, Coca-Cola, Fauna and Flora International and the World Wide Fund for Nature to share expertise and experience and push for global change. The Prime Minister also announced £61.4 million in funding to boost global research and to help countries across the Commonwealth stop plastic waste entering the oceans.

Our deposit return scheme has been highlighted. It is key that we want to boost recycling rates and reduce littering of those bottles. As has been said, it will be subject to consultation later this year. One of the challenges of the DRS is that in this country we use more plastic material in the on-the-go environment than any other country around the world. It will take some time for us to come up with the context to put forward because we have to recognise that the process that individuals use, and the way the scheme is processed, is quite different in Norway, Sweden and Germany, which I went to see. We need to consider how we can bring the scheme in line with transport activities. On-the-go activity needs to be considered to ensure that instead of people throwing plastics away to be disbanded or having always to take them back to their homes or to a particular supermarket, there are potentially ways open to submit them at a rail station or something similar nearby.

We have already committed to reforming our producer responsibility schemes to better incentivise producers to be more resource efficient. We are already talking to industry and other groups about how we might reform the packaging waste regulations to encourage businesses to design their packaging products in a more sustainable way, to encourage the greater use of recycled material in those products, and to stimulate the increase of collection, reprocessing and recycling of packaging waste. As part of the upcoming resources and waste strategy, we will set out options for the kind of packaging waste producer responsibility system that we think will work best to deliver our ambitions.

Earlier this year we announced our world-leading ban on microbeads in rinse-off personal care products, which will finally come into force before the end of next month. Furthermore, we have announced that, subject to a consultation later this year, we will remove the sale of plastic straws, plastic drink stirrers and plastic-stemmed cotton buds in England. We will consider, however, that straws may be required by some consumers who suffer from disabilities and other medical conditions. As the right hon. Member for Orkney and Shetland highlighted, Scotland has also announced a consultation on those matters. We are keen to continue to work with the devolved Administrations so that we share ambitions to take things forward. We will recognise that as we take steps forward.

Our plastic bag charge has been in place since 2015. To give credit to the other nations, England was the last to introduce it. We have had huge success since then,
[Dr Thérèse Coffey]

with more than 9 billion bags being taken out of circulation. We have announced that we will take further action on all plastic bags, and in the short term, newsagents have started to take proactive action. Recent research by the Centre for Environment, Fisheries and Aquaculture Science showed a decrease in the amount of plastic bags found on the UK’s seabed.

We will continue to look at ways to reduce plastic waste. Improving and encouraging the removal of high-harm material such as ghost gear should be encouraged. In his spring statement, the Chancellor launched a call for evidence to seek views on how the tax system or charges could reduce waste from single-use plastics. We need to get better at understanding potential forms, sources and types of impact of different types of marine litter. The Marine Management Organisation is looking at evidence in English seas for that. To improve understanding about the origin of litter and its potential extraction, we are working through the UN’s Food and Agriculture Organisation to improve capability to mark fishing gear, which supports our guidance in UK waters. Ropes, lines and pots are marine litter of the highest harm type. To reduce that threat, the UK co-leads an action group with Sweden within the OSPAR convention to develop and promote best practice for the fishing industry and competent authorities.

The Government cannot do it alone. We support initiatives such as Fishing for Litter, the beach cleans run by the Marine Conservation Society and Surfers Against Sewage, and the other work that people do every day to clean up our seas and look for new ways to reuse and recycle what is recovered. We are pleased that Morrisons has recently announced that it will sign the global ghost gear initiative. We are delighted to be supporting the ground-breaking UK plastics pact that was announced last week, which brings together more than 40 companies, NGOs and the Government with the aim of creating a circular economy to tackle plastic waste.

I hope that I have provided the House with a satisfactory outline of what we are doing to reduce plastic waste in the marine environment. We will continue to work with other countries, NGOs, industry and experts from across the board to go further.

Holly Lynch: Before she finishes, will the Minister give way?

Dr Coffey: I will.

Sir Edward Leigh (in the Chair): I hope Alistair Carmichael will have 30 seconds at the end.

Holly Lynch: I appreciate that the Minister is not feeling very well this afternoon, and I commend her for persevering none the less.

Dr Coffey: Thank you.

3.59 pm

Mr Carmichael: I thank the Minister for her attendance and engagement with us. It is apparent from the debate that there is broad agreement across the House. We accept that the Government have done a lot in this regard, but we look to them to do more. The more they do, and the faster they do it, the more support they will get across the House.

Question put and agreed to.

Resolved.

That this House has considered Government policy on reducing plastic waste in the marine environment.
Ticket Touting:

[DR CHIEF OF THE CHAIR]

4 pm

Pete Wishart (Perth and North Perthshire) (SNP): I beg to move,

That this House has considered ticket touting and musical events.

Thank you very much, Sir Christopher, for calling me to speak. It is really good to renew our acquaintance after all the years we spent together on the Scottish Affairs Committee, and I congratulate you on your recent knighthood. I also refer people to my entry in the Register of Members’ Financial Interests.

It should be the easiest thing in the world: simply buying a ticket to go and see a rock concert—I have you down, Sir Christopher, as a grime fan. When you try to secure your Stormzy ticket, it should be straightforward, but swimming through shark-infested waters would probably be an easier and safer thing to do than trying to buy a ticket for a popular musical show.

From the first click of the mouse in their quest to secure a ticket, customers are exposed to any number of touts, profiteers and spivs, who are determined to exploit them and maximise their own return at the customer’s expense. Customers will come into contact with an out-of-control, all-consuming, rip-off machine, which operates from the artist's management and promoter all the way down to the venue and ticketing agency, and then all the way down to the tout and the unsuspecting fan. It is a business model designed to maximise profits and exploit its consumer base, and it has become one of the biggest consumer crises that we face in this country today. Quite simply, our ticketing infrastructure is irredeemably broken and beyond repair.

Let us have a cursory look at how this system has been created and designed. Touting has always gone on; it was probably going on in the Colosseum in the Roman empire. As a young lad trying to secure my ticket, customers are exposed to any number of touts, profiteers and spivs, who are determined to exploit them and maximise their own return at the customer’s expense. Customers will come into contact with an out-of-control, all-consuming, rip-off machine, which operates from the artist’s management and promoter all the way down to the venue and ticketing agency, and then all the way down to the tout and the unsuspecting fan. It is a business model designed to maximise profits and exploit its consumer base, and it has become one of the biggest consumer crises that we face in this country today. Quite simply, our ticketing infrastructure is irredeemably broken and beyond repair.

The situation was probably defined in 2010, when the largest live music promoter in the world, Live Nation, bought the largest ticket agency in the world, Ticketmaster, creating something close to a monopoly on the live music scene. In addition, Ticketmaster just so happens to own two out of “the big four” secondary sites, Get Me In! and Seatwave; the touts like to do most of their business on those four sites.

What has been created, therefore, is a vertically integrated model that works in almost perfect partnership and symbiosis, whereby everybody gets their cut and their share. I will try to describe it as best I can. Live Nation, which is the largest music promoter in the world, ensures that venues employ Ticketmaster to sell the tickets for the artists that it represents. Tickets then go on sale, but they are hoovered up on an industrial scale by the touts and the scalpers. They are then put up for sale by the touts on the secondary sites owned by Ticketmaster, at hugely inflated prices.

Everywhere throughout this broken infrastructure, relationships and models of exploitation such as those I have mentioned are the norm. StubHub is another one of the “big four” secondary sites. It is owned by eBay, which purchased it in 2007. StubHub now has a global partnership with AEG, which just so happens to operate the O2 and Wembley Arena. That means that, by default, the parasite-infested StubHub is the...
official resale partner of the O2 and Wembley Arena, which are two of the most prestigious venues in the United Kingdom.

However, the daddy of them all is the truly appalling and exploitative Viagogo. I do not know what arrangement Viagogo has with Google, but if you were to look online for your Stormzy ticket, Sir Christopher, you would be directed to Viagogo to try and purchase it.

Our ticketing infrastructure, therefore, is a broken monolith of misery, where tech giants are in cahoots with touts, who are in cahoots with the promoters and managers. But I will spend just a couple of minutes on Viagogo. How a company that exists exclusively to exploit people and to rip them off is allowed to continue operating is simply beyond me. If anybody is watching this debate at home, I say to them, “Do not buy tickets from Viagogo! Go nowhere near them! You will be ripped off totally! Do not touch them!”

At the all-party group meeting last week, I listened to some of the unfortunate victims of Viagogo. Viagogo is so exploitative that a self-help group has emerged among its customers—that group has thousands and thousands of members, who are ordinary, honest people just trying to secure a ticket for a friend or a grandchild, or as a rare treat for themselves. They had no reason to believe that the simple fact of trying to buy a ticket would expose them to such shark-infested waters and such danger. Why would they? Here was “nice Mr Google” directing them to these sites, so that they could find tickets. But that is where the horror starts, as the victims of Viagogo are exposed to all sorts of hard sells, tricks and exploitative practices.

Mrs Hodgson: Will the hon. Gentleman give way?

Pete Wishart: I will give way one last time to the hon. Lady.

Mrs Hodgson: I am intervening because I want the hon. Gentleman to join me in congratulating Claire Turnham for her amazing work. She set up Victims of Viagogo, originally because she was a victim herself and wanted to try to get her money back. After that long fight, however, she put out the information she had gathered, in order to help others. She has now helped thousands of people to receive hundreds of thousands of pounds in refunds. So will he join me in welcoming Claire’s work?

Pete Wishart: I have no hesitation in doing so, and I also commend the hon. Lady herself for her diligent work over the years in chairing the all-party parliamentary group on ticket abuse. In fact, it is in my speech to congratulate Claire Turnham, whom I met last week and who has done a fantastic job. She has managed to reclaim thousands and thousands of pounds for the Victims of Viagogo, but why should she have to do that? It is not the job of individuals—drummers, guitarists and singers—to protect the public; it is the Minister’s job. That is your job, Minister. It should be you who is protecting people—not individuals such as Claire Turnham, who are having to do that difficult job.

I heard about the emotional impact of being ripped off and realised how stressful and difficult it is for people to try to reclaim the money they have been swindled out of. I heard that health, relationships and work have all seriously suffered. As a musician, I heard about people being put off attending gigs for the rest of their lives because of the experience they have suffered from these parasites and companies that exist solely to rip people off.

Patricia Gibson: My hon. Friend has been very generous in his time. He talks about the vast number of people who are exploited by these big businesses moving in and hoovering up tickets. Does he agree that it looks like the only way to stop this practice is to legally cap the price of resale tickets?

Pete Wishart: I have got an even better and more elegant solution than my hon. Friend’s, and I beg her to be patient; I will get to it. The issue has to be tackled properly. There is no point mucking around, doing things tentatively. We have to grab the bull by the horns. If she gives me a few minutes, I will get to that point.

I want to explain my renewed interest in the matter, Sir Christopher, because I know you will be absolutely fascinated. My former band, Runrig, put tickets on sale for their last ever concert, which will be at Stirling castle later this year. As the last ever concert, it was obviously going to be popular. There was no way that supply would ever satisfy demand, so it was going to be a target for the touts. Within minutes of tickets going on sale, I was inundated with Runrig fans angry, frustrated and disappointed with the experience of trying to secure a ticket. I was provided with screen grabs of tickets available on the secondary site, Get Me In!, at four times the face value of the tickets that the secondary site owner, the official agent Ticketmaster, had just put on sale 12 minutes earlier.

Runrig did everything possible to spare their fans from the touts, but it is almost impossible to evade their parasitic reach. Since then, I have watched through disbelieving eyes the misery extended to other live music events scheduled to take place this summer. Probably the biggest ticket of the year will be the Rolling Stones. They are playing at Murrayfield in Edinburgh. It will be a really popular show, and it is another huge opportunity for the touts. I saw tickets on sale for 480% above face value, even though face-value tickets were still available. People were directed through Google to the sites and encouraged to buy from them.

I pay credit to the Rolling Stones and the Daily Record, which has been absolutely fantastic—particularly the journalist Mark McGivern, who has pursued this matter resolutely. The Daily Record reported that the Stones were offered a cash incentive to put their tickets on sale to an agency that has pretty invidious relationships with secondary sites. It is to their immense credit that Sir Mick Jagger and Keith Richards turned that down, but does that not demonstrate how far up the chain the issue reaches that such matters are discussed in band meetings? It shows the callous disregard for music fans from those at the very top of the music business. Given Government inaction, it has been left to the artists and musicians to try to develop solutions to protect their fans. It should not be the job of singers, musicians and guitarist to protect ordinary people from consumer affairs issues. That is the Government’s job. Ministers should be doing that.
Bands have attempted to put all sorts of tough terms and conditions on their tickets to try to keep them out of the secondary market, and artists are looking at ever more innovative solutions to protect their fans. I pay tribute to artists including Adele, Ed Sheeran, Noel Gallagher, Bastille and in particular the Arctic Monkeys, who have deployed a number of anti-touting strategies, but we need Government to take the lead.

I do not know which hon. Member or hon. Friend suggested banning bots, but the Government are starting to do something. They are in the process of banning those anonymous bots that hoover up tickets, and they are now starting to ensure that recalcitrant secondary companies comply with existing law. At last the CMA has given notice to Seatwave, Get Me In! and StubHub, but they have been given nine months to comply. The biggest culprit of them all, Viagogo, has not even responded to the Government, but they still allow it to do business. We have had the Waterson report and the Consumer Rights Act 2015, but that is regularly broken and ignored. It has failed to protect people and it is tentatively enforced. Much stronger action is required.

In response to my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson), I question the need for a secondary market at all. Why is there one? If someone cannot go to a concert they have a ticket for, they should give it back to the venue, which can then resell it to someone who can go. What is wrong with a simple arrangement such as that?

We usually hear from people—we have seen it in a couple of articles—that this is all about tickets finding their natural value, as if there is a sort of stock market where tickets find their real value at the hands of the touts reselling them. What utter tosh and rubbish! Since I secured this debate, I have even had touts getting in touch with me who say that they are some sort of misunderstood public servants. They have even set up their own self-help group called the Fair Ticketing Alliance. Someone will have to patiently explain to me how snapping up hundreds of tickets, then selling them back at twice, three or four times the price is really in the consumer interest. That is the thing about the touts: they will never stop, and they will always remain one step ahead of any measures to deal with them.

Touting is a hugely profitable business that will not be given up lightly, but it is what it is: doing live music that concerns me most. It is now threatening the whole music industry. The anti-tout campaign group FanFair Alliance—I pay tribute to the excellent work it is doing through Mark and Adam—conducted an opinion poll. Two thirds of respondents who paid more than face value for a ticket on a resale site said they would attend fewer concerts in future, while half would spend less on recorded music. The FanFair Alliance is spot on in concluding that touting is doing considerable damage to one of our great export industries, in which we lead the world and which supports 150,000 jobs.

The Government have been reluctant and slow to legislate on behalf of music fans and artists, but they cannot continue to ignore the damage being done by a dysfunctional infrastructure that is broken beyond repair.

Alison Thewliss (Glasgow Central) (SNP): I am lucky to have venues in my constituency from the Barrowland right across to the Hydro, but does my hon. Friend agree that if people are paying more money for their tickets, there will be less money to spend in the neighbouring venues? Cities will lose out as a result.

Pete Wishart: My hon. Friend is absolutely right. There is a dynamic hit on all associated industries and businesses. If money is put into the hands of the touts and agencies, it is taken out of the hands of the music industry and those in it. Come on, Minister! Let us reclaim the music. Let us make going to a live show a safe environment. Let us make buying a ticket a reasonable experience, where we will not be exposed to profiteers, touts and spivs.

This is an exploitative marketplace. It is one of the biggest crises we have in consumer affairs, and it is destroying our music industry. It is no good pussyfooting around any longer; it is time to act. Join the rest of us, Minister. Let us reclaim the music and make it safe for fans to buy tickets online.

4.18 pm

The Minister for Digital and the Creative Industries (Margot James): It is a pleasure to serve under your chairmanship, Sir Christopher. I congratulate the hon. Member for Perth and North Perthshire (Pete Wishart) on securing this debate. The Government, along with brilliant groups such as UK Music and the British Phonographic Industry, have consistently championed the British music industry and the incredible talent that makes it such a success story and a brilliant export for this country. We have produced the Beatles, the Stones, Adele, Amy Winehouse and so many more. The live music industry is a vital part of the ecosystem, contributing £1 billion to our economy in 2016.

Our live music scene is clearly thriving, but it is far from easy for fans to experience it. We have all experienced the frustration of waiting for tickets to go on sale—our fingers hovering over the keyboard, only to find that all the tickets have been mysteriously snapped up in seconds. Given the time constraints of this job, I have slightly fallen out of the practice of trying to get tickets for events in recent years, so I was absolutely appalled when I heard about the practices now going on from my hon. Friend the Member for Selby and Ainsty (Nigel Adams). It is so frustrating to see tickets reappearing on secondary sites almost instantaneously, at the huge mark-ups that have become commonplace.

The secondary market has a place. Real fans, who are sometimes unable to attend an event, should have the means of making sure that their tickets do not go to waste. However, the Government recognise that the process of distributing and buying tickets often causes momentous public frustration and concern. We are determined to crack down on unacceptable behaviour in the ticketing market, and to improve fans’ chances of buying tickets at a reasonable price. There is absolutely no inertia in the Government, and I was sorry to hear the tone of the remarks made by the hon. Member for Perth and North Perthshire.

We are determined to get on top of this issue. I will outline recent measures that we have taken, but first I will address specific concerns about the relationship between primary and secondary ticketing sites. Competition is fundamental to that relationship, and competition decisions are made independently of Government, and
of Ministers, by the Competition and Markets Authority. I encourage the hon. Gentleman to make his points directly to the CMA. I assure him that there is no lethargy in the CMA or in Government about these matters.

We have already taken several measures. The Consumer Rights Act 2015 imposed a duty on sellers and secondary ticketing facilities to provide buyers with certain information about tickets, such as their face value and any restrictions limiting their potential use. Section 105 of the Digital Economy Act 2017 introduced a provision for an additional requirement under the CRA for ticket sellers to provide a unique ticket number, where one has originally been given, when putting a ticket up for resale. I am pleased that that provision is now in force, and that some event organisers are looking at how it can be used to improve access and protections for the ticket-buying public.

Luke Graham (Ochil and South Perthshire) (Con): I congratulate the hon. Member for Perth and North Perthshire (Pete Wishart) on securing the debate; he has certainly sold more tickets to his public performances than I ever have. The Minister made a specific point about having a unique identifier for consumers. What consultations have taken place with people in the industry, and industry experts, to ensure that that is carried across? Such events can be really beneficial for our constituencies—particularly those like mine, where we used to host T in the Park.

Margot James: I thank my hon. Friend for his intervention. We are in constant contact with the industry. My officials have been in touch with the major event organisers UK Music to get the message out there that this is a powerful tool, which event managers and primary ticketers can use to oblige secondary sites to include the unique number on anything that they offer for resale.

I am also pleased, because I had personal involvement in this in my previous job at the Department for Business, Energy and Industrial Strategy, that last week I laid the draft regulations under section 106 of the Digital Economy Act, making a provision to ban the use of bots, and the purchase and resale—for profit—of more tickets than provided for by caps set by event organisers. I hope that that will be successful as well. Of course, the legislation has to be properly enforced.

Christine Jardine (Edinburgh West) (LD): Will the Minister tell me why the reselling of music venue tickets, which as we have heard is hugely damaging to the industry, is not comparable with sports tickets? It is actually illegal to have secondary sales on those.

Margot James: I think the hon. Lady is slightly mistaken. I believe it is only professional football that has that protection, for historical reasons. The rest of sport is dealt with in the same way as the music industry.

I welcomed the CMA’s announcement last week, as part of its ongoing enforcement investigation, that it had secured commitments from three of the largest secondary ticketing platforms to provide additional information. It will come as no surprise to hon. Members that the one secondary site that has not yet co-operated is Viagogo, which is controlled from abroad. I believe it is based in Switzerland, which presents an extra challenge. I echo the remarks made by the hon. Member for Perth and North Perthshire, advising customers not to use Viagogo’s services until it comes within the law. The CMA is concerned that all ticketing sites, secondary and primary, accept their responsibilities to consumers.

The Government are also giving approximately £15 million to National Trading Standards for national and cross-boundary enforcement. I welcomed the NTS’s announcement at the end of last year that its officers had conducted raids on a number of properties across the UK, resulting in four people being arrested under suspicion of breaches of the Consumer Protection from Unfair Trading Regulations 2008. I congratulate National Trading Standards and local trading standards officers on their excellent work.

In addition, the Advertising Standards Authority has recently taken action against the main four secondary ticketing websites, banning the misleading presentation of pricing information on those websites. Companies will have to show prices in a clear, transparent and upfront manner before consumers make their purchasing decision. Hopefully, that will put an end to the drip-pricing practice that has been commonplace.

Clearly, enforcement bodies are taking the matter seriously. We are prepared to go after those who flout the law or abuse the ticketing market. The ticketing industry and online platforms need to take action, and we are attacking the situation on a number of fronts.

Google recently introduced new rules for ticket resellers advertising through its AdWords platform, requiring them to be certified. To apply for certification, they will need to comply with a number of rules to improve transparency, and stop implying that they are a “primary or original provider of event tickets”.

We are getting at them through Google as well, and industry is becoming increasingly adept at using technology to improve the ticketing experience, exerting greater control over the transfer of tickets through the use, for example, of blockchain and “ticketless” tickets attached to fans’ mobile phones.

Mrs Hodgson: I welcome what the Minister has said. She has outlined the plethora of instruments and laws that we now have. As someone who has worked on this for 10 years, I feel that it is all starting to come together. I know she takes this issue seriously, but will she commit to keeping a very close personal eye on it? As those of us who have fought Viagogo and the secondary market for years know, they are slippery characters. I doubt they will ever comply, so we will be back here revisiting this issue.

Margot James: I thank the hon. Lady and congratulate her on her work over the years, and on her chairmanship of the all-party parliamentary group. I will stay across this issue. I have exactly the same suspicion: that the company that we have already mentioned in no uncertain terms will drag its feet and fight all the way. We will have to be across that, and I welcome the hon. Lady’s continued involvement in helping us. I also welcome the work that the Society of Ticket Agents and Retailers and sports bodies have undertaken with the CMA to look at ways to ensure that terms and conditions are considered to be fair, particularly in instances where tickets were put on sale many months before the performance.
I recognise that there is no magic bullet to solving the worst excesses of the secondary ticketing market; it requires concerted and consistent effort. I have laid out our efforts as they stand. I thank the hon. Lady for her comments about how we are now pulling together a number of strands to deal with the issue. We are making good progress, but I have no doubt that there is more to do. We must ensure that the UK is a vibrant place for fans to experience great music.

Question put and agreed to.

Access Rights to Grandparents

4.29 pm

Nigel Huddleston (Mid Worcestershire) (Con): I beg to move, That this House has considered grandchildren’s access right to their grandparents.

It is a pleasure to serve under your chairmanship, Sir Christopher, and I am grateful for the opportunity to introduce this debate. Since announcing that this debate was happening, I have been inundated with emails, letters and calls from grandparents and grandchildren from across the country expressing their support, and many colleagues from across the House have told me that they have been dealing with cases on this issue for many years. I extend a special thank you to Dame Esther Rantzen and to Jane and Marc Jackson from the Bristol Grandparents Support Group, who first brought the issue to my attention. I thank the Minister, as we have had several conversations about this issue over the past few months.

This is not the first time that this issue has been debated in the House of Commons. A similar debate took place about a year ago. Unfortunately, because of purdah rules close to the election, the then Minister was unable to give the full response that I think he expected to give. A Green Paper was mentioned. I hope that the new Minister—the Under-Secretary of State for Justice, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer)—will be able to give a fuller response today. We will ensure she has time.

As I said in a question to the Prime Minister late last year, divorce and family breakdown can take an emotional toll on all involved, but the family dynamic that is all too often overlooked is that between grandparents and their grandchildren. When access to grandchildren is blocked, some grandparents call it a kind of living bereavement. Unlike some other countries, grandparents in the UK have no automatic rights to see their grandchildren, and vice versa. I count myself lucky that I had a very good relationship with my grandparents when I was growing up—I went on holidays with them and saw them virtually every weekend—but I am well aware that not every family is fortunate enough to have that family dynamic.

Edward Argar (Charnwood) (Con): Does my hon. Friend agree that, for children going through the trauma and upset of a family breakdown or a divorce, access to grandparents can often provide the stability they really need?
Nigel Huddleston: My hon. Friend makes a valid point. I have received volumes of precisely those sorts of comment in the emails sent to me over the past few weeks. It is a compelling point.

Large numbers of children in family breakdowns are left very sad and confused about the sudden loss of contact with their grandparents, which in many cases goes completely and utterly unexplained. The children are then left feeling that they have been unloved by their grandparents or believe that their grandparents simply did not want to see them anymore.

One grandson who was denied contact with his grandparents from the age of 10 said to me, “as a child, you are powerless to insist that you see your grandparents, however much you may want to. I feel a sense of deep loss, guilt and regret. I truly hope that my grandparents still knew of our love for them, and that we were powerless to do anything.”

Another grandchild referred to their parents’ decision to sever ties with his grandparents after a family disagreement as “an abuse of power”. While grandparents may have friends, partners and support groups to turn to and lean on, young children, as my hon. Friend has said, are often left to deal with the emotional toll of the separation from their grandparents by themselves. The situation undoubtedly also has an impact on the family dynamic and the relationship between the children and their parents.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): My hon. Friend is speaking passionately. My constituent, Issy Shillinglaw from Tweedbank, has been campaigning outside the Scottish Parliament for many years, every single week, for the law in Scotland to be changed. Does my hon. Friend recognise that the same issue exists in Scotland and that there is also a jurisdictional issue? Sometimes parents move south or north of the border and there is that extra challenge in ensuring access is achieved in different parts of the United Kingdom.

Nigel Huddleston: I am pleased that my hon. Friend has raised that point. I focus today on English and Welsh law, but the laws are very similar in Scotland and Northern Ireland. I know that campaigning groups have been set up to argue the same case as we are making in England and Wales. The jurisdiction element causes great confusion, which I hope the Minister will also address.

I have heard horrendous stories about children being put up for adoption despite the grandparents wanting to care for them. They cannot, however, afford the legal costs to pursue the issue through the courts, which I will come on to in a minute. There are cases where grandparents are denied access to their grandchildren for perfectly legitimate reasons and in the best interests of the child, and I am not seeking to block that. Safeguarding children should be paramount. As the Prime Minister said when I raised this issue in Prime Minister’s questions, “when making a decision about a child’s future, the first consideration must be their welfare.”

She also stated that

“grandparents...play an important role in the lives of their grandchildren.”—[Official Report, 22 November 2017; Vol. 631, c. 1035.]”

With this debate, I am trying to draw attention to the growing number of cases where grandparents are denied access to their grandchildren for apparently little or no legitimate reason.

I have focused on the impact of family breakdown on the grandchildren. I turn now to how the breakdown of relationships can impact on the grandparents. As I said earlier, some of the grandparents who have contacted me have said that being cut off from their grandchildren is like a living bereavement. One grandparent poignantly said that the grief does not have “the closure or finality of death”.

Dr David Drew (Stroud) (Lab/Co-op): Does the hon. Gentleman accept and agree that time is not a healer? The cases I have dealt with have gone on for decades and the hurt grows rather than diminishes.

Nigel Huddleston: I do agree. Unfortunately, in the letters and emails I have received the stories go back years and years, and in some cases decades. They are absolutely heartrending. Many hon. Members will have received similar and seen people in surgeries over the past few years. The length of time is horrendous.

Another common feeling is, of course, guilt. Many grandparents feel that they must have failed their children somehow for the relationship to have deteriorated to such an extent, and they are ashamed that they were not able to hold their family together. One grandfather said:

“I have been to the blackest places you can imagine and felt total despair and loss of confidence in myself as a father.”

Hon. Members could be forgiven for assuming, as I perhaps did when I first started hearing about these cases, that some drastic event must have taken place for family breakdown to have happened, but that is often not the case. Too often, the family rift arises from a simple tiff that snowballs out of control. As one grandfather said, “there is an inevitable feeling that no one cuts people off for no reason but it can happen for the slightest thing, it doesn’t take a full blown argument, just a wrong word or a badly timed comment”.

Another said that,

“a lot of the time, the grandparents have no idea what the problem is”.

I have heard some truly heartbreaking stories from grandparents detailing how their emotional anguish has led them to consider, and in some cases attempt, suicide. One grandmother who considered suicide said that

“the only thing that stops me is hoping that my daughter will have a change of heart and let me be part of my grandson’s life again”.

Sadly, three grandparents known to the Bristol Grandparents Support Group felt unable to continue their lives without seeing their grandchildren. I was shocked to hear from one grandparent who told me that seven members of their support group had committed suicide.

Tim Loughton (East Worthing and Shoreham) (Con): My hon. Friend is right to raise this very important issue. Does he agree that when parents divorce, they do not divorce their children? The law now has a supposition that the parents should both be involved as possible in their children’s upbringing when cases have to go to court because they cannot be agreed in mediation.

Does my hon. Friend not think that it would be equally appropriate to have a presumption that grandparents should be involved as much as possible in the upbringing of those children, unless—and only unless—there is a problem with the welfare of that child?
Nigel Huddleston: I thank my hon. Friend for raising that point—he is very knowledgeable about these issues. I will come on later to the asks and the potential resolutions. He has absolutely hit the nail on the head—that is exactly what we need. That also involves safeguarding. I hope the Minister will respond to that point.

That this is a growing issue is evidenced by the growing number of grandparents support groups across the country. One has been recently established in my parish in Worcestershire. The Bristol Grandparents Support Group has dealt with more than 6,000 grandparents in the 11 years since it was formed. Unfortunately, one experience that many alienated grandparents have in common is that they have sometimes had a visit from the police. I have heard from a number of grandparents who have tried to send birthday cards or Christmas gifts to their grandchildren and found themselves being visited by the police and accused of harassment. As Jane Jackson of the Bristol Grandparents Support Group said, “grandparents are living in fear that if they drop a present at the door, then officers will come and march them to the cells”.

Of course, genuine cases of stalking or harassment are extremely serious and need to be dealt with accordingly, but it seems that our anti-harassment laws are being used as a weapon in family disputes. I hope the Minister will tell us how we can overcome that.

What can grandparents who have been cut off from their grandchildren do? If appealing directly to the parents’ good will does not work, the first step is to go through mediation. If that does not work, the next step is for grandparents to apply for a child arrangements order. Increasing numbers of grandparents are taking that route. Ministry of Justice stats show that 2,000 grandparents applied for CAOs in 2016, up from just over 1,600 in 2014. Unlike parents, most grandparents must take the additional step of seeking leave of the court before they can even make the application for the order. I know that is not intended to be an obstacle for grandparents, but clearly it is. I urge the Minister to consider introducing an automatic right for grandparents to seek contact through the courts.

As well as being emotionally draining, the whole process can be time-consuming and costly. Some grandparents have told me that they have spent three years and thousands of pounds going through the process. Time is not always on their side, and many are on fixed incomes and are dipping into their savings and pensions to pay for legal costs, as legal aid is rarely available in those cases.

Once a child arrangements order has been granted, enforcement can be an issue. One grandmother told me that she and her husband spent nine months going through the courts, had three court hearings, and were finally granted an order of contact, but as her daughter chose to ignore it, she had still not seen or spoken to her granddaughter.

What else can be done? I am calling for the Government to introduce an amendment to the Children Act 1989, to enshrine in law the child’s right to have a relationship with their grandparents by adding the words “and grandparents” to the section on parental involvement in relation to the welfare of the child, as my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) said.

Dr Matthew Offord: I am grateful to my hon. Friend for securing this debate. I am aware, on 31 January 2017, my constituent, Lorraine Bushell, held a lobby day here in Parliament. I welcome the right of the child to see their grandparent, but as my hon. Friend aware that such a procedure already exists in France? We can learn from that country and make it happen for our constituents.

Nigel Huddleston: I thank my hon. Friend for making that point. That is a good precedent. Changing the law also changes the culture so that deliberately restricting the access of one family member to another becomes socially unacceptable. The legal change that France has already pursued is very important, as is the social tone that comes with it. That is a very important point.

Michael Tomlinson: I, too, am very grateful to my hon. Friend for securing this debate. It is clear from the number of hon. Members here to support him that this issue affects not just his constituents but the constituents of every single Member of Parliament. He mentioned the law. Going through a court process is painful, time-consuming and costly. Will his proposal ensure that families will not have to go through that painful and costly procedure?

Nigel Huddleston: I thank my hon. Friend for making that important point. One of the important considerations is the need to ensure that children’s welfare is paramount. Some kind of court action is probably required, but we can make it a lot easier. I am calling for an amendment to section 1(2A) of the Children Act to provide for the court to presume that the involvement of a grandparent in the life of the child concerned will further the child’s welfare, unless the contrary is shown. It is important to note the phraseology. That kind of amendment would not grant grandparents the right to involvement in the child’s life if a case be made that it would bring harm to the child in question.

Ross Thomson: I congratulate my hon. Friend on securing this very important debate. I have been supporting constituents in Aberdeen South who have been denied access to their grandchildren, and I have been struck by the role of social media. Facebook posts can be used as a weapon, and grandparents sometimes feel punished by them. Will my hon. Friend join me in calling for UK Government action not just in England and Wales but in Scotland to address these points?

Nigel Huddleston: I will indeed stand united with my hon. Friend in calling for similar action in Scotland. This issue affects all nations of the UK, and I hope we can act with one voice.

There are unintended consequences to any change in the law. In the previous debate on this issue, questions were asked about what a change in the law would mean, in terms of clarity about who had the ultimate right over children and grandchildren. The Minister is extremely capable and is surrounded by a very capable team at the Ministry of Justice, so I am fairly confident that we can find a form of words that will work. I do not want every single iteration of unintended consequences to prevent us from doing the right thing.
I hope that this debate will raise awareness of the anguish that grandparents and grandchildren across the country feel, and that my brief summary of just a fraction of the cases I have come across demonstrates to the Minister that the status quo is simply not acceptable. I wish to conclude with the words of a grandparent who sent me an email just last night. She very eloquently said:

“My story has been going on for 15 years...The pain I have and still feel is indescribable and affects every aspect of my life—dreading Christmas, Easter, birthdays, mother’s day, summer breaks...all the times when you would hope to see the grandkids. Instead, just pain and heartache—a life sentence. So although at 70 years of age I will probably die before I’m forgiven whatever it is I’ve done, you may be able to help the hundreds of poor souls suffering the same torment.”

I wish to say to that lady that I will indeed do what I can to help, and I call on the Minister to do the same.

4.46 pm

Darren Jones (Bristol North West) (Lab): I congratulate the hon. Member for Mid Worcestershire (Nigel Huddleston) on securing this important debate and championing this really important issue. He referred to my constituent, Jane Jackson, who set up the Bristol Grandparents Support Group and has been campaigning for a very long time on this issue.

I seek to make only a short contribution today, to share the words of Jane Jackson, because her story speaks for itself. She said:

“Ten years ago, I lost contact with my granddaughter after my son’s separation and divorce.

To not see our granddaughter was heartbreaking and, as is often said, a ‘living bereavement.’ Contact was stopped overnight. The last time we saw her, at the age of seven, she told us she had been told to ‘dump her family in Bristol.’ That was the last time we saw her. You go through the stages of grief as you do when you actually lose someone, except you are grieving for someone who is still alive.

Not being able to tell her how much she was loved was beyond words. I just had a constant knot in my stomach, a huge void.

She was my first grandchild, my first granddaughter, and she always will be.

She is the person I first think of in the morning and last thing at night. Does she think we don’t love her anymore?

I have a memory box for her, with all sorts of things in it—pieces of a jigsaw. It includes a tiny bear she gave me that says, ‘The best granmy’. I certainly don’t feel that way. There are so many questions and no way to find answers.

The acid drip feed of alienation is a very powerful thing, and I have a memory box for her, with all sorts of pieces of a jigsaw. It includes a tiny bear she gave me that says, ‘The best granmy’. I certainly don’t feel that way. There are so many questions and no way to find answers.

The emotions felt when this happens are so destructive.

Because when you become a grandparent, it holds such promise for the future, you being able to watch the new generation growing, giving them your experiences of life and to be a support through the highs and the lows.

I decided I wasn’t prepared to go down a dark spiral of depression and so set up Bristol Grandparents Support Group. I had to turn a negative into a positive.

At my first meeting we had 6 grandparents. To date, I have now been contacted by over 6,000 grandparents across the UK, and we are now a registered charity with groups around the country.

For Jane Jackson to turn that heartbreaking series of events, which for many of us is difficult to understand, into the positive of establishing a charity such as the Bristol Grandparents Support Group, engaging with those throughout the country suffering similar pain, and achieving such a wide reach over so many years, deserves tribute from all of us. I have every confidence that the Minister will tell us how she and the Government in which she serves will seek to make the changes that so many people are rightly crying out for across the country.

I shall finish with an update, which I received from Jane only recently. She said:

“Our granddaughter contacted her Dad a couple of weeks ago and has been messaging me. She is coming to Bristol over the bank holiday weekend, which is going to be very emotional.

The little girl we last saw at age 7 is now a young woman of 17. We now start to build up trust and to start a brand new relationship. She has told me that she never forgot us and knows we love her—words I never, ever thought we would hear. It is early days and it could all change in the wink of an eye, but I have already told her how much she is loved, and that is the most important thing.”

I pay tribute to Jane and to people in her position throughout the country. I wish them the very best for this bank holiday weekend. I support the efforts of right hon. and hon. Members across the House in seeking to bring joy and love back to those who have suffered so much dark and pain in the past.

4.51 pm

Andrew Lewer (Northampton South) (Con): I thank my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) for organising the debate and for his excellent and moving speech. I thank the other contributors for their moving speeches too. At a time when politics and public opinion often revolve around Brexit and adjacent matters that are seen as huge, it is important to recognise that our constituents are directly affected by other, personal problems that require our attention, such as grandparents’ access to children.

The bond between children and their grandparents is an essential one, yet, as we have heard, the latter lack clear legal rights to the former. In the event of divorce or family dispute, grandparents need to make an application for permission to see their grandchildren under a court order. At the hearing, the court assesses the relationship between the grandparent and the child. It is heartbreaking that a bond between close relatives has to be deemed to be significant, or not, by a legal entity, especially when the two parties are usually victims of a family rupture.

I have been contacted by a number of grandparents in my constituency who have sought my help after being denied access to their grandchildren. Colleagues have related similar experiences. To that end, I met Marion Turner of the GranPart support group, which is based in Northampton and Milton Keynes. The group offers such grandparents help and support to deal with the pain and loss, and it provides free legal advice from solicitors. The information it provides online and via telephone about the complexities of application for leave of court, child arrangement orders and so on is of great comfort to grandparents at what is a hugely stressful time.

I am grateful for the support given by that group in this matter, but I believe that there is still a need for a justice reform to treat the problem at the root, instead of people having to try to ameliorate the consequences case by case. To that effect, a few months ago my hon.
with the attention it clearly deserves.

produce a long-awaited Green Paper, treating the matter the Minister—who is now, I hope, of some standing—to Friend the Member for Mid Worcestershire in asking have a waited developments. I therefore join my hon. Friend the Member for Esher and Walton (Dominic Raab), and others, sent a letter to the Minister of State for Stewart), whose constituency neighbours mine, with me have constituents who think the same as he does, which is why I am here: first, to support him and, secondly, to look to the Minister for her thoughts on how we can make things happen.

The issue is close to my heart. I am thankful for a wonderful daughter-in-law who allows me to bring my grandchildren to church and Sunday school, to tag along at family dinners when time permits and, with my wife, to enjoy family holidays with them. Such occasions with children and grandchildren are always precious, whenever they may be.

Looking to the past, I find that my sons always had a great advocate not only in their mother, who is truly a warrior mum, but in their grandparents, who simply adored them. No breakage in my grandmother or my mother’s house, even of special china or collectibles, was so bad. If it was my children who broke them, their grandparents would said, “Don’t worry about that”—it was not the same when I was young, but that is by the way. Even when it came to writing on the wall, it was never vandalism but artwork, and not a word was said, other than, “That’s all right.”

I was often amazed that the parents who believed Discipline is for the parents; joy is for grandparents. Why is that? It is because the job of a grandparent is to love, to love more and to love some more again. Why is that? It is because the job of a grandparent is to love, to love some more and to love some more again. Hon. Members have referred to that in their contributions. I heartily support the hon. Member for Mid Worcestershire and the themes and thoughts raised by other Members in speeches and interventions. I spoke on this issue the last time it came to the Floor—perhaps he secured the previous debate too—and I was later contacted by a lady who was not my constituent but had heard the debate. She thanked me for speaking out on her behalf as a grandparent. She was being denied access solely because of an argument between her son and his former spouse; it had nothing whatsoever to do with her or her family.

In conclusion, as a grandparent and someone who could not imagine life without my grandchildren, I ask the Minister to take the issue into consideration and to take the steps to make the changes necessary to allow grandparents basic rights to family life and love. That is all such people ask for: the chance to love their own flesh and blood, and not to be caught in the middle of a conflict that has absolutely nothing to do with them yet so deeply and irrevocably affects them.

I ask the Minister to take the issue into consideration and to take the steps to make the changes necessary to allow grandparents basic rights to family life and love. That is all such people ask for: the chance to love their own flesh and blood, and not to be caught in the middle of a conflict that has absolutely nothing to do with them yet so deeply and irrevocably affects them.
with the analysis that my hon. Friend the Member for Mid Worcestershire provided and I support his proposals for reform.

I do not have grandchildren or children, but I was a grandson. I think back to the incredibly important and influential role that my two grandmothers played in my upbringing; I cannot imagine what my life would have been like without them and cannot imagine that similar level of love and support being denied any grandchild. They passed away many years ago, but I still think of them regularly. Particularly in here, if I have a dilemma to resolve, I often ask myself, “What would gran have said?” in this matter. The answer often comes more quickly than if I had not asked that question. To deny any grandchild that support and love is absolutely wrong, where the grandchild is innocent in whatever the dispute is.

From what I have seen in GranPart meetings, the current access arrangements do not work. There are legal ways of getting access but they are too cumbersome and the barriers are too big. Many of the grandparents I have met do not want to go down that road, either because they cannot afford it or because they just do not want the anguish. It is a barrier that should not be there—there is a problem to address immediately.

In the debate last year and other conversations and correspondence that have happened, there has been talk of a broader family justice Green Paper that looks at all aspects of the issue. There are other issues that I am not as familiar with, which also need to be addressed, but I make a plea to the Minister not to delay in making a reform and improvement here, in the context of a broader review of family justice. This is a stand-alone issue.

The grief that grandparents are suffering is here and now. It is real. Surely we have the bandwidth in this place and in Government to address it in isolation. I am not denying that the other matters are important, too, but they can be looked at later on. I ask the Minister to have a separate look at this issue. Again, I thank my hon. Friend for raising this very important subject.

5.3 pm

Dr Matthew Offord (Hendon) (Con): It is a pleasure to serve under your chairmanship, Sir Christopher. I will not delay the House for too long on this matter, because I have spoken about it in the past. I congratulate my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) on securing this debate. As I mentioned earlier, my constituent Lorraine Bushell had an event earlier, my constituent Lorraine Bushell had an event in the Houses of Parliament, when we were joined by Esther Rantzen. At that time, the meeting was packed; today, a number of people are in the Public Gallery to listen to what we have to say on this subject.

I want to make a plea to the Minister: I previously brought this issue to the attention of the Government and I hoped it would be in the Conservative party manifesto. I cannot recall whether it was—but even if it was not, I make a plea to her to make this issue a priority. Many grandparents are of an age that means that time is of the essence. They are not able to go down a legal route; many people would find that difficult not only financially but emotionally. People do not want to go down that route, because whether it is in a divorce court or between families, it is very painful for all those involved.

I raised an issue with my hon. Friend the Member for Mid Worcestershire that my constituents raised with me; the resolution is not that the grandparents have the right, but the children. The child should have the right to access to their grandparents. We could incorporate that into our law in this country, based upon the legal system in France or whatever. That would allow the possibility for children to be able to have that relationship with their grandparents.

Other Members have made reference to the relationship for them and for their grandparents; we all treasure and remember that relationship. My grandparents are no longer alive, but I often think that being a grandparent is often a second opportunity. When people are younger, perhaps they do not have the time that they would like to spend with their children because they are busy at work. It is a second opportunity to do the things that they were not able to do, perhaps because they did it wrong or they want to do it differently. Who knows? We must not allow this opportunity to go by. I repeat my plea to the Minister to take action on this issue sooner rather than later.

5.6 pm

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Sir Christopher. I commend the hon. Member for Mid Worcestershire (Nigel Huddleston) for securing the debate. I am conscious that it focuses on the situation in England and Wales, which is why, as I indicated to you, Sir Christopher, I will keep my remarks short, to allow the hon. Gentleman time at the end to conclude.

I thank grandparents for the work that they do—in particular kinship carers, who are huge part of my constituency. The number of kinship carers who are grandparents is massive. Before taking part in the debate, I reflected on my own experience. My mum and dad split up before I was one year old. My dad was pretty much off the scene from that point. It was probably then that my mother was faced with the dilemma of whether to go and visit her ex-mother-in-law and take me with her. To my mum’s credit, she did that. That must have been quite a difficult thing to do; I respect it and I think we would all want that.

The Members from north of the border, the hon. Member for Berwickshire, Roxburgh and Selkirk (John Lamont) and the hon. Member for Aberdeen South (Ross Thomson), mentioned the situation in Scotland. It is only right to put that on the record. The hon. Gentlemen made the point that under the Children (Scotland) Act 1995, grandparents do not have an automatic right to see their grandchild, but can apply for a court order to get that access.

It is important to place it on the record that the Scottish Government are committed to reviewing the 1995 Act; the consultation on that begins this month. I hope that hon. Members will feed into that consultation and encourage their constituents to do so. My only word of caution is that it is paramount that the needs of the child are put first. For example, it is possible that contact with grandparents could allow a parent who has been deemed unfit to see their child to have contact with the child. That raises some child protection issues. I understand the need for us to get this right. I hope that the consultation will tease that out and we can get to a point that balances child safety and the most important thing: people having a relationship with their grandchildren.
I am grateful for the opportunity to sum up on behalf of the Scottish National party and I hope that any remaining time will be given to the hon. Member for Mid Worcestershire to make his closing remarks.

5.8 pm

Gloria De Piero (Ashfield) (Lab): It is a pleasure to serve under your chairmanship, Sir Christopher. I add my congratulations to the hon. Member for Mid Worcestershire (Nigel Huddleston) on securing the debate. We have heard touching stories today that demonstrate just how important the relationship between children and grandparents can be. Experiences of our own grandparents in our formative years, and of actually being a grandparent from some of our more experienced colleagues, make it clear that this relationship can be incredibly significant and often unique.

Grandparents can enrich the lives of children and provide one of the closest and most loving experiences a child can have. The relationship can be important in other ways, too. Grandparents can provide vital help and support for parents, particularly in recent years as increasing childcare costs have pushed parents to rely on informal care from family members. It is difficult to overstate the role of grandparents for many families.

Whether through our own experiences or through those we hear in our constituency surgeries, we know that family relationships can simply break down. Of course, the welfare of the child comes first and we should endeavour to ensure that that remains so. But the impact on the grandparent can be devastating. Many are distanced and lose contact, and they are understandably distressed by the experience. That can be made worse when they feel they have no effective form of redress to apply for access.

As it stands, child arrangements orders, established by the Children and Families Act 2014, determine where and with whom a child lives. They determine who can access a child, spend time with them, visit them and speak to them on the phone, and those people are named in the order. However, before applying for a child contact order, grandparents must seek leave from a court. In 2010, the Labour Government produced a Green Paper that considered that legal requirement for grandparents and, acknowledging concerns that it may present a barrier to justice and may leave grandparents without contact with their grandchildren.

Arbitration and mediation are, of course, more amicable, preferable and cheaper routes, and they have been found to work in many cases, but we acknowledge that family disputes may not be that simple and that, sadly, the courts are sometimes the only appropriate course. It is imperative that we provide a legal system that protects both the welfare of the child and access to justice for grandparents seeking to navigate complex and unfamiliar procedures.

I am sure we were all touched by the stories we heard from hon. Members today; I certainly was. I hope that the Minister agrees that it is incumbent on us all in this place to ensure that the justice system is accessible and open, and absent of obstacles that may prevent loving grandparents from seeing their beloved grandchildren.

5.12 pm

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): It is a pleasure to serve under your chairmanship, Sir Christopher. I congratulate my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) on securing the debate and continuing to highlight this really important issue.

Grandparents play a significant role in family life. There is something special about the bond between a grandparent and a grandchild. The loving relationship that is formed often enriches family life. Grandparents provide stability when it is needed. They can give a sense of history and show how important it is to belong to a family. They can give familial support when it is needed, such as when it is difficult for more immediate family members to be called upon. My grandparents—in particular my grandmother—taught me many things. She passed on her values.

I, too, recognise the work of Marc and Jane Jackson from the Bristol Grandparents Support Group and of Dame Esther Rantzen. As my hon. Friend mentioned, I had the opportunity to listen to their points on this issue at a meeting he arranged with my predecessor when I was Parliamentary Private Secretary to the former Justice Secretary.

Hon. Members have made important and powerful points during the debate, and many have written to me about this subject. My hon. Friend the Member for Charnwood (Edward Argar) pointed out that grandparents often support grandchildren when there is family breakdown. The hon. Member for Stroud (Dr Drew) said that time is not a healer. In his impassioned speech, the hon. Member for Bristol North West (Darren Jones) described the grief of his constituent, whom I met, and the work that that family has done to support so many
other people. The hon. Member for Strangford (Jim Shannon) reminded us of the precious moments that he has had as a grandparent and that grandparents can have with their grandchildren.

My hon. Friend the Member for Milton Keynes South (Iain Stewart) and for Northampton South (Andrew Lewer) mentioned the great work that has been done by a support group in their constituencies. My hon. Friends the Members for Berwickshire, Roxburgh and Selkirk (John Lamont) and for Aberdeen South (Ross Thomson) and the hon. Member for Glasgow East (David Linden) reminded us that other jurisdictions are grappling with this important issue. My hon. Friend the Member for Hendon (Dr Offord) reminded us that the law in France has already moved on.

My hon. Friend the Member for Mid Worcestershire told us some terrible stories about the effect on grandparents. He quoted grandparents and grandchildren directly, not only underlining how important the issue is but giving them a powerful voice in this debate. I commend him for doing so. He made an important point that children are the innocent victims in family breakdown, and that the best interests of the child must always come first, which my hon. Friend the Member for Hendon reinforced. My hon. Friends were right to emphasise that point. Children are at the heart of our family laws and our family justice system.

My hon. Friend the Member for Mid Worcestershire recognised and made clear the fact that there is a legal route for a grandparent to gain contact with their grandchildren. Under the current legislation, a family court can make a child arrangements order to determine who a child can live with, spend time with or otherwise have contact with. Some 2,000 grandparents go down that route every year. Let me describe how it works. A child arrangements order can provide for face-to-face contact—long visits and short visits, including overnight stays if appropriate. If necessary, it can also provide for contact to be made by other means, such as email, telephone or letter. The court has flexibility when considering whether to make a child arrangements order and, if so, on what terms.

Whether the court orders that a grandparent or other family member should have involvement in a child’s life depends on a number of factors. One or both parents may oppose such involvement. The Children and Family Court Advisory and Support Service may be asked to provide a welfare report on the beneficial impact of the involvement of a grandparent or other family member, and any risk of harm from ongoing parental opposition to such involvement and exposure of the child to ongoing conflict. That report can also include the wishes and feelings of the child. As I said, the welfare of the child is the paramount consideration at all times.

Given the dreadful stories we have heard about the impact of this issue on people’s lives, it is clear that the system could work better, and I am keen to look into how we can improve it.

Michael Tomlinson: We are fortunate indeed that the Minister has a good deal more time than Ministers normally have to respond, so I would welcome a lengthy response. The system she has outlined—the legal system of going to court—is complex and heart-wrenching. People should not have to go through that. Will she directly address the point my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) made about a presumption, which we hope would avoid the need for people to go to court in the first place?

Lucy Frazer: As always, my hon. Friend makes an important point that he expects me deal with, and I was just about to come to that. He made a very important point about out-of-court procedures. We need to look at the expensive and difficult court procedure, which sometimes increases conflict. That is not just the case when grandparents apply to court; in family law as a whole, courts can provide resolution for people who really need it but also increase conflict, particularly in family situations.

Jim Shannon: In my contribution I referred to Family Mediation NI, which has the specific task of trying to sort things out before they get to court. It was clear to me from a Northern Ireland perspective that had more money been available to it, many of those cases would have been sorted out beforehand and would never have got to court—I think that is what the hon. Member for Mid Worcestershire was saying. If we can get to the point where we can try to mediate and solve problems rather than get into litigation, with all the nastiness that brings, that is where we want to be.

Lucy Frazer: The hon. Gentleman is right. It is critical that we solve these issues early on, before they get to court. We are reviewing legal aid generally, but legal aid can be available for mediation for early legal help. In that context, there is a fees remission scheme in relation to the application to court where the threshold is higher for people over 60. However, would it not be better if people did not go to court at all?

A number of issues have been raised and ideas put forward about how we can improve the system. One, which was raised by my hon. Friend the Member for Mid Worcestershire and by the hon. Member for Ashfield (Gloria De Piero), was about the fact that grandparents have to apply for leave. Some people see that as an additional hurdle, but experience shows that grandparents do not usually experience any difficulty in obtaining permission when their application is motivated by a genuine concern for the interests of the child. That is because a person can seek the court’s permission at the same time as they make their substantive application simply by ticking the box on the relevant form, and there is no need to pay a separate fee. That can be part and parcel of the hearing.

The leave requirement is not designed to be an obstacle to grandparents or other family members; it is meant to be a filter to sift out applications that are clearly not in a child’s best interests, such as vexatious applications aimed at undermining one of the parents involved in a dispute over the child or continuing parental conflict. Leave was examined as part of the independent family justice review led by David Norgrove, which in its final report, published in November 2011, recommended that the requirement for grandparents to apply for leave should remain as it is because it “prevents hopeless or vexatious applications that are not in the interests of the child.”
My hon. Friend the Member for Mid Worcestershire also identified the fact that it was unfortunate that sometimes children were placed for adoption, despite the fact that a grandparent might be willing to care for them. Grandparents can apply for special guardianship orders, and the local authority should give preference to placing a child with a family member. He also identified, as picked up by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), that there should be a change in the law in relation to presumption. We can look at that. He identified, and it is important to recognise, that some people think that elevates the grandparent’s involvement into a right, whereas, as I have identified, the family justice system puts the child, not the grandparent, at the heart of its consideration. As he accepts, there may be some unintended consequences that we will have to look into.

Edward Argar: The Minister is rightly highlighting the importance of the child being at the centre. She also said that she is willing to look at some issues again to avoid the involvement of expensive lawyers—I pay all due respect to lawyers; she is a distinguished lawyer herself. However, will she indicate when we might see some of those proposals and ideas come forward from the Ministry?

Lucy Frazer: As a new Minister, I am looking afresh at a number of issues. This point, which has been raised by many people, is one of a number of family justice measures the Department is looking at—this morning I had a meeting on another family justice issue of concern. We are looking at these matters very closely. The challenge is that one size does not necessarily fit all. These are important issues but, as I mentioned, we must also look at the out-of-court settlement procedure. I will look at this issue carefully, working with the Department for Education.

My hon. Friend the Member for Mid Worcestershire said at the end of his speech that he wanted to raise awareness. He has done that in the past, and he has certainly done so by calling the debate today. I commend him for his campaigning efforts, and I am grateful to him for giving me the opportunity to respond to this important debate on behalf of the Ministry of Justice. Finally, I send Marc and Jane Jackson every best wish on reuniting with their first granddaughter.

5.25 pm

Nigel Huddleston: I thank the Minister for that response. Her tone is appreciated across the whole House. I know that she is diligent and that she is looking at a range of things, but I would like this to be quite high on that pile. I am sure she knows I will continue to hassle her until we get a response.

I appreciated several comments the Minister made, in particular the recognition that the system could work better. I recognise that family law is horrendously complex and that therefore there are no easy answers. We will be very willing to work with her and anybody else on ensuring that we look very carefully for any unintended consequences, because we all want to avoid those. We would all love to have a situation where we did not have to have such debates, or to have family breakdowns ending up in court, but the reality is that that does happen, so we have to deal with it. As parliamentarians, we need to ensure that we can help make the processes as easy and painless as possible for all involved.

Finally, I thank many of those in the Public Gallery who are here today, some of whom I know have travelled a considerable distance to be here, and who include representatives from all over the country. I thank them and I thank colleagues. I look forward to making progress on the issue.

Question put and agreed to.

Resolved,

That this House has considered grandchildren’s access right to their grandparents.

5.26 pm

Sitting adjourned.
Westminster Hall

Thursday 3 May 2018

[ Dame Cheryl Gillan in the Chair ]

Social Care Provision and the NHS

1 pm

Dame Cheryl Gillan (in the Chair): Unfortunately, the hon. Member for High Peak (Ruth George) was delayed, but I have taken advice and now that she has arrived, I think it is in the interests of the House and all hon. Members present if we proceed with the debate.

Ruth George (High Peak) (Lab): I beg to move,

That this House has considered the effect of social care provision on the NHS.

Thank you, Dame Cheryl. I was moved to initiate this debate by the experience that I had just after Easter, when I spent a 12-hour shift with colleagues in the ambulance service based at the depot in Buxton; they are trained and very experienced paramedics. I have had a lot of cases involving constituents who have been concerned about ambulance waiting times—the time that it takes ambulances to get to patients in our very rural area—so I spent a day with staff to see what the pressures were.

I expected those pressures to be on the NHS, but what I found from spending a day with the ambulance service and the excellent and hard-working crews, who said that it was not in any sense untypical, was that we spent the day going around seeing elderly patients in their own homes. They might have had family carers or received occasional visits from professional, paid carers, but they were left on their own for a lot of the time. They often had ongoing health conditions that flared up from time to time and caused them and their carers great concern, and that would escalate to calling out an ambulance. I therefore spent a lot of the day sitting in the back of an ambulance and talking to elderly patients. That was quite a pleasant way to spend a day—I like talking to older people and have helped with care for my own family—but it is not really what we want our paramedics to be doing.

I receive calls from constituents about their family members who have to wait in dire circumstances at times. In one recent case, an elderly lady had had a stroke. The GP was begging for an ambulance to come to her, but it took five hours for it to get there. Unfortunately, that lady subsequently died. We cannot say that that was because of the delays in the ambulance arriving, but a lot of time is taken up by ambulances travelling around to elderly and isolated people, and that is happening more and more.

Age UK says that there has been an increase to about 1.2 million in the number of people who need care but whose care needs are not being met. It is a vicious circle, which ends up impacting on our NHS. The winter crisis seems to be going on and on. There are almost 4 million people on hospital waiting lists. Every week at my constituency surgeries and coffee mornings, I see constituents who are waiting for treatments such as hip replacements. I saw a lady in Buxton who had been waiting almost a year for a hip replacement. She used to be an avid walker of the countryside, but now is practically housebound. That has obviously impacted on her quality of life.

There are also waits to see a GP. We have gone from waits of 48 hours, as a maximum, eight years ago to waits of two weeks now. People have to book an appointment some way ahead; and often, if people phone any time after about 8.20 in the morning, the surgery will say that it has no appointments left, even for two weeks’ time. People have to say that it is an urgent case in order to be seen and then they are seen more quickly. The situation is impacting on GPs as well.

In accident and emergency departments, only 85% of people are seen within four hours. At my local hospital, Stepping Hill, patients are queuing on trolleys in the corridors and are given a bell to ring if they feel that their condition is deteriorating, because there are just not enough staff even to keep an eye on them. The staff rely on patients themselves being able to give an alert if they feel that they are in urgent need of care.

I saw the impact of the long ambulance waits in A&E. They are backed up, sometimes seven at a time, outside our hospitals while they wait to be able to discharge patients. The staff now face an overtime ban, despite the great demands on their service. Even two weeks into the financial year, they were already banned from overtime, so young trainee paramedics are staffing ambulances on their own at night, which is not what I want to see in my constituency and not how we should be treating the staff.

BBC 2’s “Hospital” programme showed what is happening in A&E at the moment. We saw a frantically overstretched service and every hospital bed full, but staff estimated that 80% of the patients should not actually have needed a bed; they should have been in social care. This comes back to the cuts in social care. This is happening more and more.

According to the Association of Directors of Adult Social Services, £6.3 billion has been cut from social care budgets. Nationally, 400,000 fewer people are receiving social care, more than a quarter less than in 2010, despite increasing demand. In Derbyshire, my county, the number of people needing care has risen by more than one quarter, from 32,000 to 40,000 people.

Social care cuts do not make good television, though. They are invisible to the outside world. Patients are not lined up, queuing on trolleys. No one could really make a drama about it, but it is a crisis in the homes of the 1.2 million people who need and are waiting for care and cannot get it. We see that crisis only when we step inside the NHS, with paramedics or GPs who have to visit those elderly patients or in A&E departments. Then we see the people who are falling through the gaps in social care. That is echoed in my own constituency, where one of the GP surgeries tells me that 19 patients in one small town are on a waiting list for a care package. They are either in hospital, taking up a hospital bed, or at home with family carers, who are struggling to cope.

Palliative care is particularly difficult. At the end of life, patients typically need four or five short visits a day. Particularly in a rural area, that is very hard for our care services to cope with in the way they are financed and paid for. The lack of palliative care means that patients are stuck in hospitals where they are often many miles...
away from their loved ones. In a tragic recent case, one of our GP surgeries told me about an elderly gentleman crying to the GP because he had never been separated from his wife before. They were both in their 80s. She was terminally ill in hospital and he could not get to see her. That GP surgery pulled out all the stops. It got its district nurses to go in and allow that lady to go home for the final few days of her life. However, they cannot do that for every patient. The NHS simply does not have the resources and it impacts on other patients it needs to see.

The surgery in Hope in my constituency in the rural Peak district tells me that patients are being cared for in the community by relatives much more than used to be the case. That is good for the individuals in many ways. That is where they want to be. However, it puts more strain on GPs having to visit more frequently those patients with more complex needs. A poll by MediConnect in 2010 found that almost nine in ten GPs believe that the reductions in social care are leading to extra pressures on their surgeries, which is leading to extra pressures on GPs. Buxton is seeking to fill six GP vacancies out of a total of 12 across the town. That is not sustainable.

That also leads to extra pressure on A&E departments and increased delays in discharges from hospital. In 2016-17, there was a 12-month average of 188,000 days of delayed care, which is 73,000 more than the four years from 2010 to 2014, when the situation was fairly stable. The King’s Fund has estimated that patients waiting for a care package in their own home accounted for the largest number of delays—in other words, more than 20% of all delays in discharge.

The cuts to social care are creating more expense for our NHS, but it would be cheaper to resolve such cuts. The NHS spent approximately £168 million on delayed transfers of care for patients awaiting a home care package in 2015-16. That could have funded more than 5 million hours of home care in that year—431,000 hours a month or nearly 15,000 hours a day—helping thousands of patients to stay in their own home with the care they need.

The Multiple Sclerosis Society has done a lot of work on the issue, because sufferers of MS frequently need care but a lot of that need is not being met. It says that in 2015-16, emergency hospital admissions for people with MS in England cost the NHS a total of £46 million. A large proportion of that emergency care was for problems that could have been avoided with proactive, preventive care, and earlier diagnosis and intervention in the community. For example, 14% of emergency admissions were for urinary tract infections, costing more than £2,500 per patient, which could have been avoided.

The reductions in social care are not simply down to Government cuts, hard as they have been for local authorities to sustain. There have also been huge increases in demand of more than 25% in the past eight years. The cuts to local authorities—they are gradually cutting the amount paid to care homes and to carers who provide care to people in their homes—are having a detrimental impact on the whole sector. It is really coming to a crisis point. A 2017 survey of directors of adult social care services found that 39% had home care providers ceasing to trade in the previous six months and that 37% had contracts handed back.

My constituency of High Peak has real difficulty recruiting staff to work in care services. The staff do an absolutely fantastic job, but the pay is very low. Over half of staff nationally are on zero-hours contracts. Particularly in expensive rural areas, such as the Peak district, one cannot afford to live on the wages of a care worker. Ironically, however, there are more and more elderly and infirm people in those areas. In High Peak, our volunteer services run a professional, not-for-profit care service arm, but it is operating at a loss and has to cross-subsidise its care services from other services, which it cannot afford to do much longer.

This is a particular problem in rural areas. Patients are scattered, meaning more travel time and extra costs for companies. Our private care companies, the agencies, cherry-pick the areas they will cover, so they avoid the very rural areas, which cost them far more in mileage and travel time. A Rural England report found that rural councils pay 13% more on average than predominantly urban councils, but they still report more problems in commissioning services. Several home care businesses commented that they did not feel that councils paid enough and that was reflected in the handing back of contracts. Everyone says that small providers are needed, which would not cherry-pick based on areas that are profitable.

Even though Derbyshire is one of the few areas where our Labour-run council kept on directly employed care staff on the proper living wage, it cannot recruit enough staff, so we have to rely on agency staff. There are about 90,000 vacancies across the country for agency social care staff. They are at an absolute premium and our local jobcentres are always trying to recruit people into care jobs, but it is not for everyone. It is a difficult, often gruelling job, both physically and emotionally. It pays very little. Care workers often have to be able to run their own car and find their own way around. They have to like older people—the patients. That is a hard thing to do, particularly if they are caring for a parent or have other caring responsibilities. It is a lot for anyone to take on. It is no wonder that the turnover of care workers is running at nearly four in 10 every year.

Funding cuts are now having a detrimental impact on care quality as well. One in five adult social care services received the poorest overall ratings from the Care Quality Commission and almost one quarter of services had the poorest ratings for safety. Some 22% required improvement and 2% were deemed inadequate. The Government, however, do not seem to be seeking to tackle those problems of quality. Skills for Care, the skills organisation for care services, has a budget of only £21 million, or £14 per care worker, whereas Health Education England has a budget of £4.6 billion. The National Audit Office criticised the Government for failing to have an up-to-date workforce strategy for the care sector—the last workforce strategy was produced in 2009, under a Labour Government.

Last November, the Competition and Markets Authority did a study of care homes, which stated that, in general, care homes are struggling. Local authority-funded homes, which are now very much in the minority, cover their operating costs but not their total costs. That suggests that while those care homes may be able to operate in the short term, they may not be able to undertake future investment to update their existing capacity, prevent closure or increase their capacity for local authority-funded residents. The Salvation Army runs excellent not-for-profit
care homes, including one in my constituency. When I visited the home over the Easter recess, the increasing gap between the rates paid by the local authority and the amount it costs to run a care home was highlighted to me.

All those cuts impact on the NHS and then the NHS cuts, as part of a vicious spiral, impact back on social care. As I have said, our own north Derbyshire clinical commissioning group is £24 million in the red, a huge sum for a relatively small CCG. It has been taken into special measures by NHS England and cuts are being imposed. Our specialist dementia care assessment unit has closed. The support that went to the families and patients who went into that ward on an ongoing basis is no longer there. The staff who were at threat of redundancy have a huge number of skills in adult mental care, mental health service care and specialist dementia care. The respite beds on that ward have also closed. One patient with early-onset dementia was managing at home with one week in six of respite for his wife, but he now needs full-time nursing care, as his wife cannot cope at home without that week of respite.

Rehabilitation beds are no longer a halfway-house option, because they are being closed as well. Even worse, patients are being sent home from acute care without a care package in place. Many end up with infections or have a downturn in their condition and end up back in hospital unable to cope. It becomes a spiral that impacts on family carers at home.

Carers are struggling. They do an incredible job. The Carers Trust estimates that there are 5.5 million unpaid carers in England and 2,300 in High Peak alone. People do not often meet carers who are caring for someone with a long-term condition, because they are isolated. When I visit the GP surgery or the hospital with my family, I can sit down and talk to some of the carers about the isolation that they experience and how difficult it is because they cannot stop, because they love the person they are caring for and feel that they have no other option.

Some 61% of carers report having a long-term health condition. They are more likely to report problems with depression, pain and mobility, but they do not attend their own health appointments. The Carers Trust found that 57% had cancelled or postponed a health appointment because their caring role took precedent over their own health. It is no wonder that 81% of older carers surveyed said they felt lonely and isolated.

The Government are looking to do more work on carers, and have commissioned studies such as the 2014 Department of Health impact assessment, which estimated that spending an extra £300 million on carers in England would save councils £430 million in replacement care costs and would result in “monetised health benefits” of £2.3 billion. Each £1 spent on supporting carers would save councils nearly £1.50 in replacement care costs and would result in “monetised health benefits” of nearly £8. However, the money to put into those services and to make that sort of investment is not there, because the NHS, social care and local authorities are firefighting. Of course, the greatest impact is on the patients who do not receive the care they need and are left isolated, confused and sometimes in pain.

The MS Society says that one in three people living with multiple sclerosis do not get the support they need with essential everyday activities such as washing, dressing and eating. That has an adverse impact on their physical and mental health, resulting in a greater reliance and increased pressure on the NHS, which already faces significant financial and demographic strain. I hope hon. Members can see that it adds up to a vicious circle of lack of investment and funding and constant cuts. People who provide services are trying to do their best with what they have, but constant cuts in one area are offset by the other; cuts in social care lead to an increased reliance on the NHS, while cuts in NHS services lead to huge extra costs for long-term care in nursing homes or by carers.

I am pleased that the Government have combined health and social care into a single responsible Department, but until councils and the NHS are not simply trying to drive down costs to meet their savings targets by offsetting against each other, and until we have combined budgets at a local level, the vicious circle will not end, and the problems for patients and their carers, and the strain on the health service as a whole, will not end either. I hope the Government will listen and take action.

Peter Grant (Glenrothes) (SNP): I am pleased to be able to speak in the debate. For obvious reasons, I will not do a traditional summing-up, because I could not sum up the contribution of the hon. Member for High Peak (Ruth George) anything like as eloquently as she delivered it. I am pleased that she made it to Westminster Hall, and I thoroughly commend the decision to use discretion to allow the debate to go ahead. It would have been sad if the important points that she has made had not been heard. It is unfortunate that a number of circumstances mean that very few people are here, and that the debate will probably get very little publicity, because she has raised an issue of significant concern to a great many people throughout the United Kingdom.

Social care and health are wholly devolved to the Scottish Parliament, so it is not my place to tell or suggest to the Government what they should do, but I will make some comments about what is happening and what appears to work in Scotland in the hope that the Westminster Government will consider it. I do not do that by way of the “We’re good and you’re bad” kind of politicising that we see too much of, but as an attempt, in good will and good faith, to allow our experiences north of the border to help address the situation down here. The hon. Lady has raised issues that apply in all four countries of the UK and, I suspect, in a lot of other countries as well.

When I was a wee boy, my granny was an old lady. She hardly ever went out, but occasionally she managed to walk up to the wee shop to get some shopping. She was a very devout Catholic, and when she was fit, she would walk the half mile or so to the local church to attend mass. That was about it. She would be picked up and taken out to family events and then taken back home again. At that time, my granny was five years older than I am now. She was younger than a significant number of Members of Parliament—nobody in this debate, obviously, is over 60.

That is an illustration of how much the world has changed for the better. When people get to be 60, particularly women who are widowed, as my granny and far too many women were at that age in the old days, they are no longer expected just to sit at home and
wait to die, or drink tea and watch the television. People of all ages expect to be allowed to lead a full and fulfilling life. People with significant medical conditions and disabilities are entitled to expect the same. As a society, it is incumbent on us to help them achieve that. To do that, we have to accept that there will be consequences; that sort of quality of care does not come cheap.

It is sad that when we debate healthcare or social care in almost any form anywhere in the United Kingdom, it can far too quickly turn into the usual Punch and Judy politics. Often we do not have the chance to have an open and honest debate about what changes are needed to make the system fit for purpose in the 21st century, and what the consequences are in relation to how much we are prepared to pay for it.

Positive changes in medical technology mean that people who would have been lucky to live to five years old some 40 or 50 years ago now live to 80. That is a great success story, but it also creates challenges. For example, a lot of adults with Down's syndrome will outlive their parents. We cannot expect mum and dad to be lifetime carers, because they will not always be there. The fact that so many people are living so much longer is a great success story, but we have a responsibility to accept the consequences of that success.

There has been a lot of progress. In 1998 I started working with the then Fife health board. Fife has a population of about 350,000 people. At any time, about 1,000 of those people would be in-patients in a psychiatric hospital or in a hospital for people with learning disabilities. Today, rather than being in four figures, sometimes that number does not even get to two figures—it is usually in the tens and occasionally it is down to single figures. There has not been a reduction in the number of people with those significant mental health or mental disability problems—if anything, there has been an increase—but they are looked after in a much more appropriate way. They are looked after as human beings at home, or in an environment that feels as close to being a home as possible, rather than in a massive institution with hundreds of in-patient beds.

That is overwhelmingly what elderly people and people with long-term illnesses, and their families, tell us they want. That should be the gold standard. We should aim to fund and support services—whether we call them social care or healthcare services does not matter—that allow people to live in their own home, beside their own family and friends, for as long as possible. A critical factor in succeeding in that aim must be breaking down the boundaries that we have artificially created between different services. The hon. Member for High Peak rightly pointed out that if any one part of the system starts to come under pressure, that very quickly has a knock-on effect elsewhere.

In Fife there have been some quite surprising, and surprisingly wide, cultural differences between the council and the health board, which we have had to work on to ensure that the approach to looking after people and doing the job, rather than worrying about bureaucracy, was consistent. That means that there has to be an absolute, publicly stated and oft-repeated commitment from leaders at the very highest levels in our services, whether they are political, managerial or clinical, that the person receiving the service is the person who matters most. We should be prepared to change our organisations, to change the way we work and to change the way we ask our services to work, so that they suit the patients, rather than expecting patients to squeeze into the artificially narrow boxes we sometimes try to create for them.

The model used in Scotland has been known as local health and social care partnerships, which give a direct voice not only to the statutory agencies, but to voluntary third sector organisations and commercial providers, because they have a part to play, however uncomfortable some of us might feel about that. The model also gives a voice to staff organisations and staff representatives in trade unions, and to representatives of patient groups, who are the people who know best what does and does not work. That is done so that decisions are taken in the round and solutions can be found regardless of whether a service will be provided by the council, the health board or somebody else. What matters is that the service is provided and that we never forget who the service is being provided for.

Although today's debate is entitled, “Social Care Provision and the NHS”, that could equally well have been turned the other way round, because if there is a problem in health service provision—social services and the local council will come under pressure very quickly as well. That could be extended further, because one of the reasons why social services are under so much pressure is that a lot of the unofficial support services are under pressure now. A lot of people are isolated from their families, as family members can live a long way apart. Local services, such as libraries, are also closed, so that old folk do not have a library to go to one or two days a week, just to have a chat, whether or not they borrow a book. Post offices are also closing; people are being expected to do things anonymously online instead of having a wee chat with someone down at the post office. Our dear and much-lamented friend, Jo Cox, was very keen to emphasise the scourge of loneliness in our society. I think that loneliness, in all its forms, is creating a lot of the pressures on the public services that we are talking about today.

Those services face enormous challenges in all our nations, but if we still really believe in providing a good standard of living for all our people—a standard that I am fortunate enough to enjoy and that I would always expect—we must be prepared to make hard choices. And people like me, who are on well above average earnings, must be prepared to pay a wee bit more in order to achieve that good standard for all. In Scotland, for example, for a number of years we have had a guarantee of free personal and nursing care for any elderly person who needs it. From 2019 that guarantee will also apply to younger people with long-term and serious disabilities. That change is known as Frank's law, after Frank Kopel, a former professional footballer with Dundee United, whose case became the focus of a long and successful campaign in Scotland.

We need to be honest and admit that these things do not come for free. Demographic changes mean that even if we think we are increasing spending above inflation, we might not be doing enough to keep up with an increase in the number of people who need such support. And, very often, an increase in the complexity of that support. However, almost every time we talk about social care or healthcare services, whether in this Parliament, the Scottish Parliament or council chambers,
it turns into a Punch and Judy show. That happens far too often, and it is just not what people need. Whether it happens here or in council chambers the length and breadth of the land, opposition parties and politicians will always quote stories of things that have gone wrong, as well as the official statistics, and it is surprising how often the official things we measure in the health service are measurements of failure. Why do we not measure success instead of failure?

Opposition parties will come out with the stories to prove that things are going badly; Governments and council administrations will cite numbers to prove that they are spending lots of money on a problem; and all too often nobody actually talks about whether the services—the care that we are providing—are of good quality or not, and nobody talks about the difference that we are making and should be making to people’s lives. That kind of debate is happening, often in less high-profile and less public forums than this one, such as think-tanks or universities. Sometimes councils and health boards have discussions that are not particularly open to the public, to try to tease out these problems.

We need to be prepared to have an open debate about our individual and collective political philosophy. For example, how do we establish the balance between universal provision and means-testing? What standard of care and support do we think every single citizen of these islands is entitled to receive? What quality of life, or what compromises or reductions in quality of life, do we think is acceptable to impose on somebody simply because of a disability or long-term illness? If the answer is, “We’re not prepared to accept imposing any reduction in quality of life,” then we, as Members of one of the Parliaments of these islands, have got to find ways of ensuring that there is no reduction.

If Members want to see how not to have a debate about the difficulties that our health and social care services are facing, they should look at Prime Minister’s questions yesterday. Frankly, I thought it was appalling that, although very serious issues were being raised, on one side it was all about how bad things were and how many failures there have been, and on the other side it was all about how much money is being spent, and nobody seemed to be talking about what we need to do to sort these issues out.

I enjoy a good political barney as much as anybody. With this subject, however, and possibly more than with any other subject, we need to stop being politicians and remember that we are human beings and we are here to represent human beings. The people who rely on these services, whether they are provided by councils, health boards or anybody else, are entitled not only to get the services they deserve, but to hear an open and honest debate. That will not necessarily come up with all the correct answers, but at least people will know that we have the courage to face up to some difficult questions.

I look forward to the House having the opportunity to have such a debate in the near future, and I sincerely hope that all 650 Members in the House will take that opportunity and have the kind of debate that the public need, rather than the kind of debate that all too often politicians like to deliver for them.

2.7 pm

Barbara Keeley (Worsley and Eccles South) (Lab): Thank you, Dame Cheryl, for calling me to speak; it is an honour to serve while you are in the Chair.

I, too, am glad that we are actually having this debate, now that we have all got here, and I congratulate my hon. Friend the Member for High Peak (Ruth George) on securing this important debate and on the way that she opened it. It is never easy for someone if they are rushing in at the last minute, because they were delayed by something outside their control. Nevertheless, what we heard from her was a comprehensive review of the issues in social care in her constituency, which I found very useful.

In addition, I thank the hon. Member for Glenrothes (Peter Grant), who is the Scottish National party spokesperson, for a thoughtful contribution. Broadly, I do not disagree with him, but part of the difficulty for Opposition parties is that we have some very substantial disagreements about spending priorities, which is what we end up talking about quite a lot.

Before discussing the effect of social care on NHS provision, which is the topic of our debate today, I pay tribute to both our hardworking NHS staff and the 1.4 million dedicated staff working in care, many of whom—as we heard in my hon. Friend’s contribution—are on low pay, undervalued and overworked. I keep that point in front of me, because it is a very important aspect of social care.

Nurses Day is on 12 May and I pay tribute to the outstanding patient care that nurses give, in the diverse roles that nurses have in healthcare teams, ranging from acute care, which is clearly very important to patients, to Marie Curie nurses in palliative care—there are not enough of them—and to Admiral nurses in dementia care, who are very important too.

Today’s debate is an important opportunity to discuss the interaction between social care and services provided by the NHS, but it is always important to keep in mind the positive role that social care plays in the lives of older people and younger people with care needs, because it helps them to live independent lives. The Secretary of State recently told a conference of social workers:

“We need to do better on social care.”

I agree with him, but the Government have had eight years to do better on social care and yet things have got worse. My hon. Friend rightly pointed to the eight years of cuts to council budgets, which have meant that more than £6 billion has been taken from social care budgets since 2010. That is a serious factor.

My hon. Friend talked about how Government cuts to local authority funding have had an impact on social care services in Derbyshire. I understand that there has been a 40% budget cut already, with further cuts happening this year. She also outlined how the clinical commissioning group, which is an important body in the work on integration and commissioning, is now in special measures because it is in the red. In whatever spirit we are approaching this debate, we have to take it on board that cuts have consequences. As we have heard, cuts to social care budgets have consequences for the NHS. For example, they tie up ambulance paramedics when they could be getting to stroke patients—patients they need to get to. Cuts have consequences for the quality of care and the burden that falls on family carers. I will refer to each of those issues.

We have heard about the diminishing care fees that councils are able to pay in light of cuts. That has further destabilised a care sector that, we have to face it, has
been described as “perilously fragile”. The Association of Directors of Adult Social Services reported last year that two thirds of councils had seen care providers close in their areas, and that care providers handed contracts back to more than 50 councils. The Competition and Markets Authority has warned that many care homes could find themselves forced to close or to move away from local authority-funded care. As my hon. Friend said, local authority funding is only just covering day-to-day running costs. Just this week in Trafford, care provider Ampersand Care has closed two homes, blaming chronic underfunding of care for older people. It claims that it cannot provide safe care at the rates offered by Trafford Council. Those closures will see 78 residents face the upheaval of moving from their current home. The reality of our unstable care market is that such instances are becoming commonplace. In fact, just a few weeks ago the same care provider closed a care home in Swinton in Salford, which is my local authority. Now that care provider has only one care home left in the country.

There is a growing funding gap in social care that must be filled. We would not be suffering quite so badly from these issues if we addressed that. The Local Government Association has estimated that our social care system needs an immediate injection of £1.3 billion to fill the gap, and the King’s Fund reports that that will rise to £2.5 billion by 2020. What Members said about the different views people have was interesting. Cuts to social care have led to what the Secretary of State recently described as “unacceptable variation” in the quality of services. We will never address the future funding of social care while we have a quality problem. If we are expecting people to pay more, why should they pay more for services that are not good quality?

As my hon. Friend the Member for High Peak said, one in five care facilities receives the lowest quality rating from the Care Quality Commission. My party’s research revealed that more than 3,000 care facilities with the lowest quality ratings continue to receive the lowest ratings, even after being re-inspected by the CQC. The care facilities find themselves unable to get out of that situation. Cuts mean that providers have less money to pay staff and to invest in training or building renovations, and that can lead to what we are seeing now. Facilities are getting trapped in a cycle of poor quality care provision.

Care staff, who so often are underpaid, undervalued and overworked, are under intense pressure as a result of cuts. My hon. Friend spoke about the challenges with social care in her own constituency, much of which is rural. Many of the problems she described relate to staffing, and they are not isolated examples. Rural England’s 2017 report, “Issues Facing Providers of Social Care at Home to Older Rural Residents” discusses the challenges facing social care provision at home for people in rural communities. Rural populations are typically older. There is a lack of specialist housing for older people and housing stock is older, which may mean it is difficult to heat. Those challenges are compounded by difficulties in recruitment and retention, as we haven’t heard today. Home care staff are typically being employed on zero-hours contracts and receiving payment for actual contact time only and not for travel time. That is true in London and Salford, but in rural areas, where the distances are much greater, that lack of paid-for travel time is a different issue. It could make the difference between people being prepared to work in care or not.

In addition, rural social care has to contend with such factors as a small pool of potential employees, competition from other employment sectors and a mismatch between the locations of care staff and those of people who need care. My hon. Friend gave an important example of one town where 19 people are waiting for a care package. Other national trends affecting the care sector also affect rural areas. They include: low pay, few career opportunities or chances to gain skills, and the increasingly complex needs of people in need of care.

People who need care in rural communities need the Government to think ahead and monitor emerging trends properly to ensure that there is proper coverage in their areas. Worryingly for the future of provision in these areas, Rural England’s report “found scant regard to rural proofing” in the sustainability and transformation plans that it had seen. Moreover, it said that: “published statistics seldom provide, or...facilitate, any rural analysis.” That needs to be rectified if rural social care needs are to be more than just an afterthought.

We have heard that a lack of good-quality care places an additional burden of caring on unpaid carers. Older rural residents are more likely to provide some form of care to one another—24% of people in rural areas do that, as compared with 18% in urban areas. The issues for carers are more marked in rural areas. I have worked on carer issues since 2002, when I worked as an adviser to the then Princess Royal Trust for Carers, which is now the Carers Trust. That work included the then largest ever national survey of carers to assess the impact of the Labour Government’s carers strategy, which was published in 1999, on carers’ lives. I researched and published three reports on the needs of carers. I wanted to highlight that work from before I was elected to underline how important a national carers strategy is to carers.

I want to raise with the Care Minister how carers have been treated by the Government in recent months with the abandonment of the promised carers strategy. Their needs are being subsumed into the Green Paper on social care for older people, and I want to highlight how one carer feels about that. Katy Styles is a carer and a campaigner for the Motor Neurone Disease Association. She contributed to the Government’s consultation on the national carers strategy because she hoped that her voice would be heard, alongside the 6,500 other carers who also contributed their views. She told me:

“Not publishing the National Carers Strategy has made me extremely angry. It sends a message that carers’ lives are unimportant. It sends a message that Government thinks we can carry on as we are. It sends a message that my own time is of little worth.”

Katy Styles started an e-petition on the issue. It is e-petition No. 209717, which is titled:

“Government must publish a Carers’ Strategy and not a Carers’ Action Plan”.

She sent me this message yesterday:

“ Whilst unpaid carers save the UK economy an estimated £60 billion annually, this government fails to value our contribution.
As unpaid carers struggle financially, government fails to give them a reasonable allowance. Whilst unpaid carers spent precious time informing a Strategy, that time and effort was wasted as that Carers Strategy was apparently scrapped. That’s how much carers’ lives matter.

A national strategy would set the tone on how society should value and support carers. Without a strategy, carers have no hope of being valued and supported. I support Katy Styles and her campaign. She and other carers do not have much time to spare, and when they do respond to a Government consultation, their input should not be abandoned. As I mentioned last week in our Opposition day debate, this Government have launched more than 1,600 consultations since 2015. More than 500 of those consultations have not yet been completed, and it is sad to note that that includes the carers strategy.

Thinking of ourselves as a group of politicians, we have to be careful that we do not over-consult people. We cannot throw out consultations and reviews as things for people to respond to and then not care whether they get any review of their input or not do anything with what they say. The day that people feel it is not worth putting their time into consultations will be a serious point for us as politicians. It is important that people believe that their input is valued and that we take what they say into account.

I have only been a remote carer, but I feel that I have worked enough with carers to understand their issues. We should take what they say seriously. I hope the Minister can say more than what she has said in the past, which is that a carers action plan will be published shortly. Can she tell carers such as Katy Styles why the planned carers strategy was abandoned?

The funding crisis in social care also has an impact on the growing number of people who are in need of care, but get no care at all, as the hon. Member for Glenrothes mentioned. We know that more than 1.2 million people, many of them isolated and lonely, are now living with unmet care needs. Recent research has recognised that living in rural areas may exacerbate the social isolation of older residents, and of course that goes for their carers too. As the King’s Fund has stated:

“Access to care depends increasingly on what people can afford—and where they live—rather than on what they need.”

The impact of the lack of social care on NHS provision is most regularly seen in the context of delayed transfers of care—my hon. Friend the Member for High Peak talked about the situation in Derbyshire. Although the figures for delayed transfers of care attributable to lack of social care have dropped in recent months, they have reached record highs under this Government, causing thousands of people to be stuck in hospital while waiting for arrangements to be made for their care at home, or for a place in a care home. The latest figures, from this February, remained stubbornly high relative to the same period in 2015 or 2011.

It is also open to question whether people are getting the care they need in the community when they are discharged from hospital, a point I raised in last week’s debate. A recent report from the British Red Cross showed that older people could become stuck in a vicious cycle of readmission to hospital because of a lack of adequate care in the community. Reductions in delayed transfers of care will mean very little if there is insufficient social care to support people when they are discharged.

As my hon. Friend said in her speech, a lack of suitable care at home for patients needing palliative care means that people have to remain in hospital to the end of their life, sometimes with heartbreaking consequences. I was glad to hear that at least one person managed to get his wife home for those last few days, because that is very important. However, if many other family members cannot reach the hospital to visit, that is very serious.

The 2015 national survey of bereaved people by the Office for National Statistics found that, while only 3% of those who stated a preference wanted to die in hospital, nearly half of the 470,000 people who died in 2014—some 220,000 people—died in hospital. A 2016 report from Marie Curie found that hospital admissions at that point were unsustainable, and too many people who were approaching death spent long periods in hospital due to a lack of alternative social care support.

I hope the Minister will address that point, and perhaps shed some light on what is being done to reduce the number of people who are denied a choice at the end of their life, in line with the Government’s response to the choice review, which said that the Government “will put in place measures to improve care quality for all” and “will lead on end of life care nationally and provide support for local leadership, including commissioners, to prioritise and improve end of life care”.

From the examples that we heard from my hon. Friend, it sounds as if there remains some way to go on that in Derbyshire.

The social care system now badly needs sustainable funding from central Government, both for the future of the NHS and for the many people who now rely on social care. I remind those few hon. Members who are here that, at the 2017 election, Labour pledged an extra £8 billion for social care across this Parliament, with an extra £1 billion to ease the crisis in social care this year. It is important to keep looking at that figure, because that would have been enough to begin paying care staff the real living wage. It would have helped to ease the recruitment crisis that my hon. Friend has talked about in her area of High Peak, and would have enabled more publicly funded care packages for people with different levels of need. Most importantly, it would have allowed us to offer free end-of-life care to all those who needed it.

I believe we need urgent action to avert the care crisis, and the time to act is now, both for the sustainability of the NHS, which as we have heard is really being affected by shortages of social care, but most importantly for the people who depend on care to live independent, fulfilled lives.

2.24 pm

The Minister for Care (Caroline Dinenage): It is a great pleasure to serve under your stewardship, Dame Cheryl. I thank the hon. Member for High Peak (Ruth George) for securing the debate and setting out the issues so articulately. I congratulate her on making it to the debate, and I thank you, Dame Cheryl, for allowing it to take place. It would have been a great concern to us all if that had not happened.

As hon. Members will know, I am relatively new to my role as the Minister for Care in the Department of Health and Social Care. That is why I am really grateful for the chance to focus on the interface between social
care and health, and to outline how integration is absolutely at the heart of what we do. The renaming of the Department of Health as the Department of Health and Social Care must be more than just a change of title; it must provide a sense of direction and a change of culture. We know that health and social care are umbilically linked, and that one is a key driver of the other.

We recognise that many of our challenges stem from the very good news that people are living longer; which is to be celebrated. Worldwide, the population aged 60 or above is growing faster than all other age groups. In developed countries the proportion of the population aged 65 and above is expected to rise by 10% over the next 40 years. That means that, in England, by 2026 the population aged 75 and above, which currently stands at 4.5 million, will rise by 1.5 million. By 2041 it will have nearly doubled.

People’s expectations and wishes are also changing. The traditional model of social care is based on care homes, but we know that increasingly people want care to be delivered in their own homes. We want to encourage people to live independently and healthily in their homes, where many people want to stay. We know that nine in 10 older people live in mainstream housing, and that only 500,000 of those homes are specifically designed for their needs. Adapting homes to make them more suitable is therefore incredibly important. The disabled facilities grant has a vital role to play. Home adaptations and investment can be incredibly effective. Not only do such adaptations allow people to lead independent healthy lives, but our analysis shows that for every £1 spent, more than £3 is recouped, mostly through savings to the health and care system. Housing that enables people to live independently and safely allows us to reduce the number of people who need to go into hospital or have other social care requirements.

We have to look at the way we provide and fund services for the long term. Complex conditions must be addressed, and we must move to a system in which care, whether social care or health care, is individually tailored to people’s needs. The hon. Member for Glenrothes (Peter Grant) put it beautifully when he talked about how we need to stop using social care and our health service as a political football. We need to champion where there is good practice, not just talk about where it is bad. We need to look at how we can produce much more person-centred care, where we address an individual’s needs. We need to celebrate the amazing places up and down our country where it is going right, and we need to support the incredible workforce in this country—both the informal workforce, and the dedicated hospital and social care workforce. A number of pieces of work are ongoing. As the hon. Gentleman said, we need to have the courage to tackle the difficult questions, and that is what is happening.

A number of key pieces of work are happening at the moment to address many of the issues that the hon. Member for High Peak raised. Many of those issues will be tackled in the forthcoming Green Paper. We have an ongoing workforce strategy that is taking place jointly between Health Education England and Skills for Care. In order to address the challenges of our ageing population, we need to attract more people into the workforce. We need to ensure that they are properly rewarded for their work, that there is continuous development within that work, and that we attract people from a much more diverse range of backgrounds.

As the hon. Member for Worsley and Eccles South (Barbara Keeley) said, we also have a carers action plan, which is to be published shortly. She spoke about her constituent, Katy Styles.

Barbara Keeley: The person I was talking about is not a constituent; she is a national campaigner for the MND Association, and she has an e-petition. It is important to note that she is running a national campaign.

Caroline Dinenage: I am grateful to the hon. Lady for clarifying that. I would say to Katy Styles that the decision about whether it is called a strategy or an action plan was taken before I was in my role, but an action plan sounds to me like a much more positive thing.

Actions speak louder than words. We are talking about not just a sense of direction, but what we are doing and how we intend to do it. That is why the carers action plan will be a really important piece of work. I massively value the work of carers up and down the country—indeed, my mother was one—and I want to ensure that we properly recognise and reward what they do. We must be doing what we can, and not just through the Department of Health and Social Care but in collaboration with colleagues across Government, to help and support carers and ensure that the issues they face on a daily basis are tackled.

Barbara Keeley: It is worth clarifying this point while the Minister is talking about the action plan. I told her that I did that piece of work years ago on the first national carers strategy, which came out in 1999 and went right across Government. The difference I see is that that was signed by many Departments, with commitment from those Secretaries of State, but the action plans under the coalition, and those we have seen recently, are just signed by Social Care Ministers; they are very much smaller things. Departmental action plans are not the same as cross-Government national strategies, and I understand why carers feel that strongly.

Caroline Dinenage: The hon. Lady has a surprise coming—this action plan is signed by Ministers from across Government.

The hon. Member for High Peak raised cost pressures. We can all admit that local authority budgets have faced pressures in recent years. They account for about a quarter of public spending, so they have had a part to play in dealing with the historic deficit that we all know we inherited in 2010. That means that social care funding was inevitably impacted during the previous Parliaments. However, with the deficit now under control, we have turned a corner.

Thanks to a range of actions taken since 2015, the Government have given councils access to up to £9.4 billion of more dedicated funding for social care from 2017-18 to 2019-20. Local authorities are therefore now estimated to receive about an 8%’s real-terms increase in access to social care funding over the spending review. In Derbyshire, the hon. Lady’s local council has seen an increase of £33 million in adult social care funding from 2017-18 to
£201.8 million, which is above the 8% figure—it is a 10.3% increase on the previous year. The Care Act 2014 places obligations on local authorities and the extra funding is designed to help them meet those obligations.

Ruth George: I did not want to turn the debate into a political tit-for-tat, but I do not want my constituents in Derbyshire to think that suddenly there is a £33 million increase and everything is rosy for social care. The council has seen its funding cut by £157 million over the past seven years. Unfortunately, that increase is a drop in the ocean. In particular, the rise in the cost of the living wage impacts on care costs. What the council is getting back is nothing like what it has lost.

Caroline Dinenage: I have already recognised the fact that all local authorities have had to make some really tough decisions. We know it has been difficult for everybody. Taking that action to control the deficit and get the country’s finances under control has meant that we have turned a corner and we are now beginning to put that funding back in. I do not think we can deny that there were years that were very difficult for all local authorities. There is dedicated funding in adult social care; the funding goes to a specific cause, which is really important, and allows local authorities to support and sustain a more diverse care market. It also goes on to help relieve pressure on the NHS, including by supporting more people to be discharged from hospital as soon as they are ready.

The money is already beginning to have an impact. Delays of transfers out of hospital due to adult social care hold-ups have reduced by more than a third over the past 12 months, freeing up 820 beds. A key tool in developing more and better out-of-hospital services is the better care fund, which is a mandatory, national programme for integrating health and social care. It joins up services so that they are designed around people’s needs, enabling them to manage their own wellbeing and to live as independently as possible. By mandating the pool of funds, the better care fund has helped to join up health and care services and incentivise local areas to work better together with increasing amounts of funds being used in that process. Some 90% of local leaders have reported that the better care fund has helped them to progress integration in their areas.

We know that the burden of care cannot and should not continue to fall simply on hospitals. We need to move care into the home and into the community. There are great examples of how that is working in practice up and down the country. Public Health England, the Chief Fire Officers Association, the Local Government Association, NHS England and Age UK already have a joint working approach to establish how local fire and rescue services, for example, can be commissioned to check on people in their homes, to check on the safety of people’s homes, and to check on things such as trip hazards—all things that can lead to people being admitted to hospital or needing the support of social care services. They work together to encourage joint working around intelligence-led early intervention and, in doing so, reduce preventable hospital admissions.

Evidence has indicated that longer hospital stays for older patients can lead to worse health outcomes and an increase in their care needs on discharge. We know that for a healthy older adult, 10 days of bed rest leads to a 14% reduction in leg and hip muscle strength and a 12% reduction in aerobic capacity, which is the equivalent of 10 years of their life, which is a massive incentive to make sure we get people back into their own homes and active as quickly as possible, in the interests of their own wellbeing.

I am particularly interested in understanding how intermediate care—step-up and step-down services—can reduce the impact of health crises on individuals. A relatively minor infection or a temporary worsening of a chronic condition should never spiral into a prolonged hospital stay with a detrimental impact on long-term quality of life. The real goal of integrating health and social care is not simply a benefit to the system, but an emphasis on person-centred care. We need multi-disciplinary teams working around a person to maximise the effectiveness of interventions, and therefore minimise disruption to the individual.

The hospital to home programme brings together practitioners across health and social care to develop solutions for more patient-centred care, focusing on how to keep people at home. It shows how urgent and emergency care services, community services, primary care and social care can all work together to make sure that people get the right care at the right time and, crucially, in the right place. That partnership goes through everything that local partners do, whether providing interlocking services or commissioning the right pattern of services.

How can we push forward these aims and create a sustainable settlement for social care? In March, the Secretary of State for Health and Social Care outlined seven principles for the Green Paper on care and support and for adult social care reform, and he put a key focus on the need to integrate services around the individual for a seamless, whole-person approach to both health and care. We have committed to publishing the Green Paper by the summer, and when it is published there will of course be a full public consultation, through which we want to seek the broadest possible range of views. I look forward to the contributions of Members under that national discussion.

Dame Cheryl Gillan (in the Chair): The hon. Member for High Peak has a couple of minutes to wind up if she so wishes.

2.37 pm

Ruth George: I will not take up that much of hon. Members’ time, but I will thank Members who have contributed to the discussion. I am pleased to have had the opportunity to have this discussion today—thank you, Dame Cheryl, for allowing me to do so. I hope it opens the door to looking more broadly at the impact of health and social care services on one another, and on patients and their carers.

Dame Cheryl Gillan (in the Chair): I am most grateful to the Clerk for his advice in Westminster Hall today. I am very glad that we were able to have the debate.

Question put and agreed to.

Resolved,

That this House has considered the effect of social care provision on the NHS.

2.38 pm

Sitting adjourned.
Concessionary Bus Passes

Daniel Zeichner (Cambridge) (Lab): I beg to move, That this House has considered concessionary bus passes.

It is a pleasure to serve when you are in the Chair, Ms Ryan. During my three years in Parliament, it has been noticeable that although most of our fellow citizens use buses, we rarely get to discuss bus issues in the House. I am delighted to see in the Chamber my good and hon. Friend the Member for Nottingham South (Lilian Greenwood), Chair of the Select Committee on Transport, who I am sure will be putting that right in the coming months and years. Today, I shall focus mainly on the concessionary fares scheme and highlight its value and how it could be extended, but I shall also make a few observations about the problems that arise when running such a scheme in parts of the country with unregulated bus systems, and draw out possible solutions.

The national concessionary fares scheme has been a huge success. It has really changed the way older people live their lives, by increasing their freedom and, in many cases, reducing loneliness and isolation. As I think hon. Members will be aware, the bus pass in England provides free bus travel for older and disabled people during off-peak times—from 9.30 am onwards. Ironically, should anyone have chosen to use their concessionary fares pass to get here this morning, they would have been late. I can see that some of my colleagues set out much earlier—not that I am suggesting they would qualify for a bus pass. I am very pleased that so many people have made such an effort to be here at what is quite an early hour for Parliament on its return from recess.

The age of eligibility for the concessionary fares scheme has become slightly flexible. If the eligible age had remained what it was when the scheme was first announced, I might almost have qualified by now, but it shall also make a few observations about the problems that arise when running such a scheme in parts of the country with unregulated bus systems, and draw out possible solutions.

The trigger for calling this debate was the 10-year anniversary of the scheme. I congratulate the National Pensioners Convention, which made a big effort to celebrate it, including by sending birthday cards to Downing Street; I joined members to go and hand those in. I have to say that I was hoping there might be slightly more enthusiasm from the Government for celebrating the anniversary. We did have a discussion at Transport questions, and the Minister, I am delighted to say, had removed the threat of ongoing review, but I was hoping for something slightly more celebratory—a bit more Jürgen Klopp, a bit more dancing up and down, celebrating the success of the bus scheme.

Lilian Greenwood (Nottingham South) (Lab): I congratulate my hon. Friend on securing the debate. He is a very long-standing supporter of buses. Will he also congratulate the TUC Midlands pensioners’ network? Its members marked the 10th anniversary of the concessionary bus pass by touring the midlands using their passes. My hon. Friend will not be surprised to hear that, when they came to Nottingham and we were talking to residents in Market Square, the overwhelming number of people did not avoid us; they came and spoke to us, and they expressed their great joy and made celebratory remarks about the bus pass for older people and disabled people, because they know what a lifeline it has been for so many people. Does my hon. Friend agree?

Daniel Zeichner: I thank my hon. Friend for that intervention. She is very prescient, because the TUC campaign was in the next paragraph of my speech; she has pre-empted it. She is right. Those of us who have done market square campaigning will know that we are not always a magnet for people to come and join us and enthuse, but I find that whenever we speak to older people, they are enthusiastic. I echo my hon. Friend’s congratulations to not only the east midlands TUC but Richard Worrall, who, when the scheme was initiated, set off on a tour of the country and was able to demonstrate that, using his bus pass, he could get round the whole country, which was very exciting. I am told that he is going to do that again, and certainly if he comes through Cambridgeshire I shall be very pleased to join him, although I shall be paying the extortionate fares that we suffer in rural Cambridgeshire—should we be lucky enough to find a bus. I say that because the enthusiasm to which I have referred is tempered by the fact that, in far too many areas, the Government seem to be managing decline rather than celebrating new routes. I will say a little about how that might be addressed, but first I would like to go back to the history of this scheme.

As I look around the Chamber, I see that some of us are old enough to remember that in the ‘80s and ‘90s pensioner campaigning was central to everything we did. I remember that, as a parliamentary candidate, I was summoned to many vibrant meetings—the pensioners’ organisations had a long list of demands at the time. That was because they compared, strangely enough, our situation in the UK with that in many other European countries and found that our European neighbours often enjoyed a whole series of things that pensioners in our country did not. One success of the post-1997 Labour Government was that they addressed pensioner poverty. I am thinking of measures such as free eye tests, the winter fuel payment and so on, and the bus pass was of course a key part of that.

However, there was not a particularly smooth path to that. We started with quite a panoply of schemes. Some places, such as London, had long had better schemes. Some of the urban areas—I have to say that they were almost always Labour-run areas—had been much more generous in the past. However, in the shires, it was much more of a battle. A kind of halfway house was introduced back in the Transport Act 2000, which gave pensioners half-price fares. That led to quite a lot of even more vexed campaigning.

I remember going to a Labour policy forum in 2004 with colleagues from adjoining counties in the rural east of England—I particularly remember the then leader of Norfolk County Council, Celia Cameron, and Bryony...
Rudkin from Suffolk. We sat with the then Secretary of State for Transport, Alistair Darling—this was long before he realised he was to become Chancellor of the Exchequer—and explained to him why we thought that a concessionary fares scheme of this type would be not only equitable and fair but hugely popular. I remember the look on Alistair’s face: he said, “Do you know how much that would cost?” That was actually quite a good question because, as I shall explain in a minute, the question of costs has never been properly tied down. His point, of course, was that it would be quite a costly commitment. We went away, having established the idea in principle, but with no great hope that it would necessarily be adopted, so it was with huge joy that we greeted the development a year later. I am not suggesting that it was just we who achieved this; it was a wide range of campaigners, but in the 2005 Labour manifesto a full scheme was suggested, and it was finally implemented in 2006.

The issue of funding is important because, right from the beginning, it has proved to be complicated and difficult. When I was a parliamentary candidate, I spent many a happy hour trying to work out, with my local county councillors and district councillors, who was paying for what and how much it was really costing, and, frankly, coming to the conclusion that probably no one was entirely sure.

We are told that, overall, this scheme now costs £1.17 billion per annum. Not surprisingly, the cost has increased since the scheme was introduced. We are told that, in 2013-14, 9.73 million concessionary travel passes were issued across the country; that puts the average cost at £120 per person. When the scheme was first introduced, the Government provided an extra £350 million for 2006-07 through the formula grant system to fund the cost to local authorities as they then saw it. Between 2008 and 2011, the Department for Transport provided a special grant, totalling just over £650 million, to local authorities to pay for the statutory concession.

Since 2011, however, it is the formula grant that funds the bus pass; money is no longer ring-fenced. Of course, it is a familiar sleight of hand by central Government to apparently put money into the local government grant and tell local government that it has to do this. As the years go by, it becomes less and less clear what the money is for. There is a strong suspicion that it is a sleight of hand, and particularly when councils are being so heavily squeezed, it is asking a lot of them.

Therefore, my first question to the Minister is whether she would like to have a word with the Treasury about looking again at providing proper, ring-fenced funding for the scheme to local authorities. It is not entirely clear to me that the current system of local government finance, particularly with the move away from central Government funding and, supposedly, to business rates retention, actually provides a good, sustainable model for supporting a scheme such as this.

**John Spellar** (Warley) (Lab): Surely a proper cost-benefit analysis ought to be part of that assessment. In many rural areas, the benefit is that people in smaller, local towns can access services. Most significantly, the benefit is to the health budget, by keeping so many of our pensioners active and engaged. There are lots of studies now on the impact of loneliness on older people. This scheme helps to get people out and about, and maintains their health for much longer.

**Daniel Zeichner**: My right hon. Friend is absolutely right. I will come on to the social and environmental benefits in a minute. This partly shows us how complicated it is to assess the long-term benefits.

Returning to the relationship between central Government and local government, local authorities were charged with coming up with a reimbursement system that left the operator no better or worse off, but they are in a difficult place, and I will come on to the reimbursement system in a minute. The Local Government Association estimates the cost to local authorities at around £760 million a year, with a funding shortfall of £200 million. I suspect that that pressure will only get worse.

The operators are not keen on the system at all. I frequently hear complaints. It is difficult to prove what it costs to carry passengers for free, in a way that observes that reimbursement rule. Putting some extra people on half-empty buses does not necessarily cost more. If there are too many extra people, however, extra services are required.

I understand that the prime task of the bus operators—the big five and many smaller operators—is to return a profit to their shareholders. That is right and proper; that is what they do. They will inevitably claim that this costs rather a lot. In the early days—this was my experience in Cambridgeshire—the bus operators did quite well, because the reimbursement cost they extracted from the county council was rather high. Over time that seems to have settled. As has been said in questions to Ministers, the number of appeals has settled down, which suggests that there is a kind of settlement in all this. I think there is a wider question, however, of how and whether the reimbursement system works.

There is a comparison to be made between London, which has a regulated system, and the rest of the country. Thanks to the Bus Services Act 2017, we hope that some of the new mayoral authorities will adopt franchising. I hope my own in Cambridgeshire does. In London, where you have gross cost franchising, it is much simpler for Transport for London to make decisions about the public good. It decides the fares and the frequency, and then it pays the operator to deliver the service. In a way, the operator has much less to worry about, provided it does not drive up usage and extra costs too far. For London, which groups pay and which do not, and how much is made up by the fare box and how much is raised in others ways, are political choices.

In the rest of the country, it is much less clear. It could be suggested that operators have a perverse incentive to put up fares, because if they know that many of their passengers will be concessionary fare holders, they will be reimbursed for that. We will see whether that gets any response from the operators. The choice over discounts and whether young people should qualify for similar fare schemes is essentially market driven; it is not a choice around social need or the social good. There is a huge opportunity, if we shift to franchising, to move to a much clearer and more efficient model. It may reduce operators’ profits, but if it provides lower fares and space for social choices for the social good, it is worth them paying that price.
I pay tribute to the work being done by the Transport for Quality of Life team, including Lynn Sloiman and Ian Taylor, who have begun to look at European systems where, effectively, transport is provided for free across an urban area—it is predominately urban areas at the moment. That is not a novel or unprecedented idea, because many people take the view that public transport—like health, education, policing, parks and museums—is an essential public service that contributes to the fabric of local life. The organisation’s work—often commissioned by my trade union, Unite—shows that this is already happening in 100 towns and cities worldwide, including more than 30 in the United States and 20 in France. Dunkirk, with a population of 200,000, will apparently become fare-free in September. The largest city in the world to have made its public transport free is Tallinn, the capital of Estonia, with a population of 440,000. Free transport was introduced to residents in 2013. It has cost the city €12 million, but it believes that that has been offset by a €14 million increase in municipal revenues, as many more people have moved there, increasing the tax base.

That links to some of the work being done by my colleagues on the Transport Committee about mobility as a service. We are looking at a whole new range of ways of getting around cities. My vision is what I see when I visit an airport. Some airports are like small cities. There are travellers, lifts, shuttle metros and shuttle buses. The noticeable thing is that we do not pay to get on each of them, because it is in the interests of that community to get people where they want to go quickly and efficiently. I argue that is in the interest of all of us, in all our cities and smaller towns, to ensure that people can get around quickly and efficiently.

That is my vision for the future, but to return to the present, extending franchising beyond the mayoralty areas would allow local authorities much more control over services in their areas. It would put them in a much stronger position to maintain stability in funding the national concessionary travel bus scheme. The additional flexibility could also be extended to the community transport sector. That is sometimes a controversial issue, but it is being raised by people in the sector. If we are looking for a flexible mix of transport solutions, particularly in rural areas, I think it should be considered.

My right hon. Friend the Member for Warley (John Spellar) has already raised the social issues involved. Very good work has been done on that by Claire Haigh at Greener Journeys. She demonstrated, in research done a few years ago, that each pound spent on a bus pass generates at least £2.87 in benefits to bus pass users and the wider economy.

Lilian Greenwood: Like my hon. Friend, I am very familiar with “Bus2020: The Case for the Bus Pass”, produced by Greener Journeys. I noted that in responding to the Government’s decision to confirm the bus pass, Claire Haigh produced an updated figure. Greener Journeys’ research has now shown that every pound spent on a bus pass delivers at least £3.79 in wider benefits for society. That updates the case made in 2014, when Greener Journeys first published that research.

Daniel Zeichner: That shows why my hon. Friend is Chair of the Transport Committee—I should keep up. That is an even bigger benefit. I know it is always difficult for Government when such figures are put forward, but in straitened times, understanding the wider cost-benefits is one of the challenges.

As we have heard, there are also savings for social services. The social benefit is intangible, but some interesting recent research by Transport Focus has shown that the social benefit of the bus—people talking to one another as opposed to taking separate taxi journeys—has a real value. We must not underestimate these social benefits. The bus absolutely contributes to the wider social good.

Lilian Greenwood: My hon. Friend is being generous with his time. Does he agree that the value of the bus is not only in its social benefits, but in the opportunities for the Government to realise some of their other policy goals, such as tackling poor air quality and congestion in our cities? Does he share my concern that the Government’s figures on congestion and traffic rises indicate that by 2040 there will be a 55% rise in traffic and an 86% rise in congestion? That is why it is in all our interests for the Government to adequately support bus travel.

Daniel Zeichner: Once again, my hon. Friend is absolutely right. The environmental benefits are really important. I was pleased to see the Minister announce at the UK bus summit the retrofitting proposals, which I was happy to see in the Labour party manifesto last year. It is always good to see the Government adopt such things, and I will have some more suggestions for the Minister in a minute. Alongside that proposal are the very good hydrogen buses that are being developed. I suspect that other Members, like me, have been happy to go and see them. All those things add to my point that the bus is one of the important ways forward in improving the quality of life in our cities, towns and villages.

One extremely good way of promoting buses is by looking at the younger generation, who we are reading about this morning.

John Spellar: Just before my hon. Friend moves on, I want to make a point that may lead on to the next part of his speech. Does he share my concern about the Resolution Foundation’s report today that calls for increased taxes and charges on pensioners? It once again raises the concern that many pensioners have that their use of or access to bus passes will be rationed or restricted. I hope he would say that that certainly should not happen, and perhaps give the Minister an opportunity to make it clear on behalf of the Government that they will definitely not be taking any action to change the availability of bus passes for pensioners.

Daniel Zeichner: My right hon. Friend is an experienced and skilled operator, and I am sure the Minister will have heard his challenge, which echoed the challenge I laid down at Transport questions the other day. Older generations may have done better—as I indicated, only 20 years ago pensioner poverty was a very real and terrible thing, and because of policy changes it is only recently that people have been less likely to be poor when they are older—but we have to get the balance
between generations right. We do not do that by punishing another generation; we do that by finding the resources from other places.

Turning to younger people, who now need to benefit. I want to reiterate something about the scheme in general. Claire Walters, the chief executive of Bus Users UK, recently said:

“Far more people rely on bus services than trains in this country. They are as vital to many people’s lives as gas, electricity and water”.

For many young people, particularly those in rural counties such as mine, getting to college or work is a real challenge. We are not talking about home-school transport today, but the Government would do well to consider that at some point, because there are rumblings in the shires, as they may have noticed last Thursday. Part of the challenge for young people is the cost of travel, including home-school transport.

As my right hon. Friend has just mentioned, the Resolution Foundation report showed the immense squeeze on the younger generation. They have experienced the tightest squeeze on household spending we have known since 2000, and they now consume 15% less than older working-age people on items other than housing. As we know all too well, home ownership is now out of sight for many people who are working, particularly in cities like mine. At the other end of the spectrum, those under 25 face significant restrictions on the amount of benefits they can claim.

I was absolutely delighted by the announcement by Front-Bench hon. Friends a few weeks ago that in future Labour would provide free bus travel in some parts of the country to those under 25. That would reduce the barriers to accessing work and education that so many young people face. The proposal could benefit up to 13 million young people, helping them save up to £1,000 a year. My hon. Friends have suggested that more savings could not be made. We are told it is an unregulated market when public money accounts for more than 40% of bus operator revenues through local authority contracts, the bus service operators grant, reimbursement for trips made under the concessionary passholders scheme, and grants. We therefore have a responsibility to ask whether we are making best use of that public money.

There is a lot of public money going into the bus system. Can we make it work better? I welcome the announcement that the concessionary fare scheme is no longer under review, but as I intimated earlier, I would like a slightly warmer endorsement of the underlying principles and a true enthusiasm for universally available mass public transport systems. Let’s hear it for the bus! Where older people have led the way, let us open the door for young people too. As we do not know when the next general election is coming—it could be a little while yet—will the Minister consider meeting me and the shadow Minister responsible for buses to discuss adopting yet another of Labour’s excellent bus policies? Young people would be as happy with their new bus pass as millions of older citizens have been with theirs over the last decade.

9.55 am

Patricia Gibson (North Ayrshire and Arran) (SNP): I am pleased to speak in this debate about concessionary bus passes. As the House will know, the matter is devolved to the Scottish Parliament, and it is a policy to which myself and my party remain absolutely committed. As we have heard, the point of free bus passes for our senior citizens is not only to enable them, but to actively encourage them to go out and about and to socialise. We know that improves their wellbeing and their mental and physical health. It is worth remembering that society has been very good to our older people. Indeed, a fairly recent study by KPMG found that every pound spent on the bus pass generates more than £2.87 of benefits for society and the wider economy. We have heard from the hon. Member for Nottingham South (Lilian Greenwood) that that has been revised upwards to £3.79, which is good news. The same report said that scrapping the passes would cost £1.7 billion due to the likely decline in volunteering and poorer health and wellbeing among older people. The news on free bus passes is very positive.

The scheme enables older and disabled people to have fuller and more efficient access to the key public services they need and to take part in activities that would not be affordable to them without the free bus pass. That freedom to travel has a wide range of social, economic and environmental benefits, including the ability to use local shops and being more able to look after children and care for others. The study says that four out of five of those eligible to take up bus passes do so. The 12 million pass holders altogether took more than 1.2 billion trips across Britain in 2012-13. According to Passenger Focus research, some 95% of passengers believe that older and disabled people should be entitled to a free bus pass.

Lilian Greenwood: The Department for Transport’s latest statistics reveal that outside London, concessionary bus journeys have decreased by 14% since 2010-11. In London, they decreased by 4.8% in the same period. Does the hon. Lady not share my concern that the reduction in bus travel generally and the reduction in services, particularly supported services, by local authorities...
is leading to fewer people making use of their bus pass, perhaps because there is not a bus on which they can use it?

**Patricia Gibson:** The hon. Lady anticipates an important point I was going to make. My party and I are absolutely committed to free bus passes, because the policy makes ethical and financial sense. We know it would be penny wise and pound foolish for the bus pass to be under threat, and the hon. Lady makes a very good point.

In Scotland, Transport Scotland provides an annual subsidy of about £70 million to the bus industry, the aim of which is to keep fares at affordable levels and to enable bus operators to run services that might not otherwise be commercially viable. However, as a bus user myself, as someone who relies on public transport and having listened to what my constituents tell me—which I see for myself every day—I am concerned about cuts to bus services across North Ayrshire. That has persuaded me that we need to look seriously at bus deregulation—in my constituency the cuts to bus services have been nothing less than savage.

There is limited value in giving someone a free bus pass to encourage them to get out and about and to improve their health and wellbeing, if the bus services are cut to the point at which one cannot go where one would like to go using that bus pass. We need to look at bus deregulation, because the cuts have had a devastating effect in my constituency. I know that I am not alone in that situation.

Politics is always about choices. The principle of the free bus pass is a prize that we need to hang on to. Whatever else happens, it is something that we need to value, not forgetting the benefits it brings to us and to older people in our wider society. Politics is about choices, and we in the Scottish National party will continue to support the principle of free bus passes for pensioners but, like the hon. Member for Nottingham South, I am concerned about the overall cuts to bus services in our communities.

10.1 am

**Jim Shannon (Strangford) (DUP):** It is a pleasure to speak in this debate, Ms Ryan, and I congratulate the hon. Member for Cambridge (Daniel Zeichner) on securing it and on setting the scene for us.

I have a particular interest in this issue because we are one of the regions of the United Kingdom of Great Britain and Northern Ireland that already has a concessionary bus pass in place. I am pleased to put on the record in *Hansard* that my hon. Friend the Member for East Londonderry (Mr Campbell) was the Minister who put that in—and he is now a recipient of the bus pass. It is always good to have such contributions in *Hansard*. I should add that I, too, am entitled to be a recipient of the bus pass, although I have not availed myself of it or taken it up. I want to make that clear.

**Mr Gregory Campbell (East Londonderry) (DUP):** I thank my hon. Friend for mentioning in passing that I introduced the pass. Does he agree that what we have seen in the 17 years since it was introduced in Northern Ireland is the incredible advantage taken of it by our elderly citizens, to the advantage of their social mobility and of their wider community?

**Jim Shannon:** My hon. Friend and colleague is absolutely right: the advantage of the concessionary bus pass in Northern Ireland is one that we see the benefits of—in my constituency. For those who are on in years, the introduction of the bus pass has provided the fun of the bus journey, which can be across all of Northern Ireland, so they get the chance of going places, and all that without the fuss and the bustle of driving a car through traffic, which makes it relaxing for them. He is right that the bus pass has helped to improve social inclusion.

I want to declare an interest, not just as someone over 60 but because I am entitled to a bus pass—though, as I say, I have not taken it up. I have not availed myself of the pass because bus services outside the main cities are not the most frequent, including in my home village of Greystreap on the Ards peninsula. My younger brother does use the pass, and so I want to focus the Minister’s attention on three issues: disability; vulnerability; and, for some people, social isolation, as my hon. Friend the Member for East Londonderry said.

Some 12 years ago, my younger brother received a serious head injury during a motorbike race. He avails himself of the bus service, which stops literally outside his house. Our Keithy gets such freedom and independence from the bus. I have to mention the particular care given to him by the bus drivers—simply put, Keith is disabled as a result of the motorbike accident, so needs help getting on and off the bus, and the drivers are extremely helpful and give him specific care. That is a personal experience, but I hope this House will benefit from my alluding to it.

The bus pass for my brother means the difference between a life constrained to his four walls and the ability for him to go to the shop or to call into the office to see my staff, as he so often does. The fact of the matter is that Keith received severe brain injuries in the accident, so he also has someone that goes with him. A lot is happening there. I mention Keith because it is for him and others like him that I stand here—so that we do not forget the disabled or the vulnerable, to whom the pass is the difference between freedom and isolation, between community and loneliness and between connection and seclusion, especially in rural communities.

Those on the disability living allowance or, as it is now, the personal independence payment receive the half-fare concessionary option. Those like Keith who have to live off their state benefits because of their disabilities are therefore able to go out twice a week without being concerned about counting the pennies. It is a tremendous scheme. I am not saying that only because my hon. Friend and colleague introduced it, but because it is tremendous. I pay credit to all the hard work that went into the scheme that operates in Northern Ireland. Furthermore, those who have driven all their lives but are declared medically unfit to drive can still access an affordable way to get to work and to travel.

In 2016-17, to give an idea of the take-up in Northern Ireland, 312,593 SmartPasses were held by older people. I am following up on the hon. Member for North Ayrshire and Arran (Patricia Gibson), who listed the advantages for Scotland, as will her Front-Bench colleague, the hon. Member for Kilmarnock and Loudoun (Alan Brown). Comparing the numbers for holders of the 60-plus SmartPass and the Senior SmartPass for those over 65 with the 2016 mid-year population estimate of
persons aged 60 and over, uptake of the SmartPasses was approximately 79% which is a tremendous figure. Ninety-five per cent. of the passes were held by people aged 60 or over.

Moreover, in 2013 to 2015, almost a fifth—18%—of persons aged 16 and over who were surveyed reported having a mobility difficulty. On average, those with a mobility difficulty made 590 journeys per year, so they not only took up the concessionary passes, but made use of them, which goes back to the point made by my hon. Friend the Member for East Londonderry: it has turned out to be a magnificently utilised scheme by those who gain the advantage and benefit of it. On average, therefore, those with a mobility difficulty made 40% fewer journeys than those without a mobility difficulty, who made 988 journeys per year. In 2016-17, 98% of buses and coaches used as public service vehicles were wheelchair accessible. Transport NI, which runs the bus service in Northern Ireland, including the private bus companies, has taken significant steps to make its buses wheelchair and buggy-friendly, investing a lot of money.

I say this often, not to boast but to make a point: in Northern Ireland we have taken steps to advance things greatly, as others have in other parts of the United Kingdom of Great Britain and Northern Ireland, and the concessionary fares, with the public transport response and investment, is an example. In Northern Ireland, clearly there has been large uptake of the pass by the elderly population and that is for a reason: many are unable to drive any longer, many feel less confident in driving and parking, and many have worked all of their lives but never had the opportunity to travel throughout Northern Ireland and now wish to do so. The concessionary fares also help take people to the Republic of Ireland, so they go outside our own area.

I recently read an article in the Belfast Telegraph that highlighted the extent of social isolation and loneliness in Northern Ireland. This goes back to the point made by my hon. Friend the Member for East Londonderry. I wish to quote it in entirety, because it is important to have it recorded in Hansard:

“Northern Ireland is in the grip of a loneliness epidemic, with a quarter of people admitting that they don’t even know their neighbours’ names.

Nearly two-thirds (63%) of people admit to feeling lonely, a report found. The Rotary Club’s State of the Nation survey questioned people aged 16 to 59 on social and community issues. It found that the highest percentage of people feeling isolated were in the 16 to 29 age group (71.5%), followed by 62.7% of those aged 30 to 44—ending the myth that loneliness only affects the elderly.

Further analysis shows that, while nearly half of people (48.6%) see their families on a weekly basis, a small number (2.9%) never see their relatives. The report found the main causes of anxiety for people in Northern Ireland were mental health (60%), poverty (31%), health problems (24%) and opportunities for young people (21%). Worryingly, 92% of people confessed to feeling bogged down by the stresses and strains of modern life”—

“bogged down” is one of the Ulsterisms we often use; I hope everyone understands what it means—

“while 42% thought it was harder than ever to manage finances, get on the property ladder (40%) or maintain a job for life (40%).”

The concessionary scheme is a way of connecting people. It allows people to make the journey to visit a family member without waiting on someone to collect them and leave them home. It allows those who may otherwise not be able to attend their local church or community group seniors meeting, or indeed their care for carer group, to hop on public transport and go. Those two things are very important in my constituency, they mean a lot to my constituents. I see among the people I speak to on the ground that there is massive take-up of the concessionary fee in my constituency.

The SmartPass concession does not benefit only the holder, does not simply help to combat rural or social isolation and is not merely a means to open up the transport network to those who are no longer able to drive, are widowed or have lost their driver through death or divorce, although all those things are worthy enough. I spoke to constituents yesterday on the doorsteps of Greyabbey—like other Members, I try to make contact with people regularly, and yesterday was an opportunity to do that when people were at home—and a number of them said to me, “I’ve lost my driver,” or, “I was friends with a person who lost their partner, and now they’re away.” The concessionary fee and the bus become a big part of those people’s lives. Concessionary and free bus passes connect us all to each other, and we must think long and hard before we alter that and introduce means-testing.

I say this cautiously, but for how much longer will we squeeze our middle classes—people who have worked all their lives? Will it be until they are brought to poverty the minute they retire and stop working? Surely they deserve to retire at some age, and we must attempt to protect this perk. I spoke to the Minister and her Parliamentary Private Secretary, the hon. Member for Bolton West (Chris Green), before the debate to remind them of the things I want them to focus on. The priority should be disabled people, vulnerable people and those who feel socially isolated. I believe that we could do something on the mainland. I know there would be a cost to that, but we cannot ignore the many benefits that would come off the back of it.

10.12 am

John Grogan (Keighley) (Lab): It is a great pleasure to follow the hon. Member for Strangford (Jim Shannon), who spoke passionately and movingly about the progressive policies in Northern Ireland. I congratulate my hon. Friend the Member for Cambridge (Daniel Zeichner), who certainly did the bus proud in celebrating the 10th anniversary of concessionary bus passes. I am 57 years old, and I hope—if the Lord spares me—to get my own bus pass by the 20th anniversary. There is no greater joy in life than sitting on the front seat at the top of a double-decker bus, as I did this weekend. I must put on the record that, in my unbiased opinion, Keighley bus station is the friendliest in the United Kingdom.

The hon. Member for Strangford rightly said that conversations on buses can be frank. Having conversations we would not normally have is one of the great joys of travelling on buses. I left the House in 2010 and spent a number of years outside it. I used to get the little hopper bus—the 962—from Otley to Ilkley. I was the youngest person on that bus by far. A particular lady driver was very well inter-relationship with the passengers and her. She would say, “Have you got a proper job yet, love?” The whole bus was riveted by the progress of my career outside the House.
The question of means-testing comes up from time to time, but the evidence shows that concessionary bus passes are a progressive policy. They are used by the middle class, but they are used most by those who need them most. If I remember the statistics correctly, a 2016 Department for Transport study showed that people with an income of £10,000 or less make twice as many journeys as those who earn more than £20,000, and that non-drivers tend to use their concessionary pass about three times more than drivers. It is a progressive policy. A quarter of people, like the hon. Gentleman, do not use their bus pass, but that is self-selecting. I do not think people waste their bus passes, but those who need them most use them most.

We have heard a lot about loneliness. This policy—one of the Labour Government’s most progressive measures—was introduced in 2006 for local public transport in England and extended nationwide in 2008. To be frank, loneliness did not come into the debate very much at that time. However, as other hon. Members have put more powerfully than I can, whatever someone’s income and however many friends they have—even if they have nowhere to go—they can get on a bus and get out, do a bit of window shopping, have a few conversations and so on. That is wonderful, and I hope that all parties commit in their next manifestos to leaving the scheme unaltered.

**Lilian Greenwood:** My hon. Friend makes an important point about people making journeys almost for the sake of it, to keep up with friends or just to get out of the house, but around 25% of bus journeys by older people using concessionary bus passes are for medical appointments. Many of those people struggle with inaccessible or irregular bus services, as Age UK stated in its recent “Painful Journeys” report. Does he share my concern that those journeys are becoming increasingly difficult because of the number of bus routes that have been cut?

**John Grogan:** I do. As the number of bus routes is cut, the potential for journeys is cut. I think that is why there has been a slight but significant decline in the use of bus passes.

One of the great things about the scheme in 2008 was that it was universal in England. People over 60 knew that, wherever they went, they could travel on a bus for free. With the rise in the pension age and so on, that is no longer true. There is a patchwork of schemes across the country. As I understand it, London, Scotland, Wales and Northern Ireland have put extra money into the scheme so that people over 60 can travel for free on buses. In the rest of the country, I think that is true only in Merseyside. The scheme, which was national in England, and indeed throughout the United Kingdom, is now broken, in the sense that people over 60 cannot be sure, unless they live in certain areas, that they can travel for free. That is a cause of resentment in areas of England outside London.

I will not divert too far into rail, but in some parts of England bus passes also give people rail concessions. Indeed, a number of years ago there was a revolt by so-called “freedom riders” against Sheffield City Council’s plans to abolish the rail concession completely. As in West Yorkshire, concessionary bus pass holders in South Yorkshire now get half fares on the railway, so there is that anomaly, too. I would like us to return to the idea that people over 60 can travel throughout England as of right, as they can in Scotland, Wales, Northern Ireland, London and Merseyside.

I do not want to detain hon. Members for much longer, but it is worth looking at bus regulation and the Opposition’s plans for the under-25s. The politics of bus regulation is fascinating for those of us who were lucky enough to be in the House in 1997. If we are honest, even though the Labour Government were progressive in bringing in the concessionary fare scheme, they resisted bus regulation. We brought in a very complicated scheme of bus partnerships—it was almost impossible to jump through all the hoops—and we consulted on strengthening bus regulation only when we were out of office, because there was a lot of pressure, particularly from urban councils, to introduce it.

The current editor of the *Evening Standard*, George Osborne, then came along and wanted to do deals on devolution. What was the obvious thing he could offer to get Labour councils to sign up? Bus regulation. As my hon. Friend the Member for Cambridge said, it suddenly became fashionable in areas that were going to have Mayors. Then, lo and behold, some Tory shires thought, “We want a bit of this as well; we want to have a little bit more control of our buses,” hence we have the Bus Services Act 2017. We will have to see how that develops.

In theory, areas throughout England now have the potential to go for bus franchising. I have always thought that it is a very good idea, for the reasons that my hon. Friend the Member for Cambridge outlined. I understand that we now have a policy on free bus travel for the under-25s, and I look forward to hearing the details. Whatever we decide to do must be properly costed to stand the rigours of a general election campaign, and I am sure that it will be, in time. I would like whatever we offer to be a national offer. Otherwise we shall be doing exactly what was done in the 1990s for the over-60s. There is a patchwork of schemes, depending on whether councils opt for bus regulation. I believe in devolution and in councils’ right to determine the best way forward, but in my humble opinion it would overcomplicate things to say that under-25 concessions should be given only in areas that adopt a particular model of bus franchising or ownership.

I want to end on a positive note. My hon. Friend the Member for Cambridge lifted our eyes to the horizon of what is possible, and talked about free public transport as a possibility in some areas. That is not an idea of just the left or green elements of European politics; Chancellor Merkel’s Administration are clearly looking, on grounds of air quality rather than anything else, at running some experiments with free public transport in places such as Bonn, in the west of Germany. In future, on environmental as well as social grounds, it will be well worth looking at those ideas—properly costed.
keenness. It is a pleasure to follow the hon. Member for Keighley (John Grogan). He made an excellent speech, in which he outlined his own passion for the subject. I was curious to hear about his excitement at sitting in the front seat of a double-decker bus. It took me back to my schooldays, but then the measure of how cool we were was how far back in the bus we could sit. I never quite made it to the very back seat—that tells Members all they need to know. I am also curious to know whether the constituent he mentioned thinks he has a proper job yet. I suspect that most people think working in this House is not a proper job.

A strong theme came through about how successful concessionary bus pass schemes are in social terms, because they give people mobility and stop them being isolated. That brings further benefits, and different cost-benefit ratios were cited, but the higher figure of £3.79, against £1 spent on the bus pass scheme, is clearly a good thing. The discussion of middle-class people using the schemes brought to mind a curious thing that happened in Scottish politics. A Labour-Liberal Democrat coalition in Scotland brought in the concessionary bus pass scheme in 2006, and it has been successful. Now that it is administered by the Scottish National party, however, apparently the universal concessionary element is suddenly a bad thing. We hear comments such as, “Why should a millionaire get a bus pass?” I have not met too many millionaires on the buses I have used, but if a millionaire takes a bus, leaves their gas-guzzler car in the garage and mixes with normal people like you and me, that is clearly a good thing for social cohesion. The universal aspect is important and we need to stick to it. I think most Members today believe that.

I like the fact that the hon. Member for Cambridge highlighted where there is universal free public transport. It is something we should monitor. The example of Tallinn in Estonia shows what a small independent country can do when it puts its mind to something. That welcome example is something to bear in mind for the future.

It would not have been a debate if the hon. Member for Strangford (Jim Shannon) had not spoken, so it was good to see him in his usual place. I must admit that the opening of his speech slightly disappointed me; I like to hear how a universal scheme for under-25s would operate. To give one more example, in response to what the hon. Member for Strangford said about the middle class, I speak to people who could be called middle class who love using their bus pass in Scotland for travelling and going out and about. I am a big fan of Kilmarnock Football Club and some of those people use their bus passes to go to away matches. People may ask why middle-class people should do that, but it gets them out and about, and used to using buses. There are cost benefits, as we have heard, because they go to other places and spend money, buying meals and so on, which helps the economy more widely.

Matt Rodda (Reading East) (Lab): It is a pleasure to see you in the Chair, Ms Ryan. I pay tribute to my hon. Friend the Member for Cambridge (Daniel Zeichner) and congratulate him on securing this important debate, and on his knowledgeable speech. He has been a consistent campaigner on transport issues for many years. I also thank other hon. Members for their many and varied contributions. The debate is indeed timely; as my hon. Friend mentioned, it is 10 years since the then Labour Government’s Concessionary Bus Travel Act 2007 introduced free off-peak travel on local buses, nationally, in April 2008. It is right to mark that milestone.

More journeys are made on buses than on any other form of public transport. Indeed, for many people buses are the only form of public transport available. My hon. Friend the Member for Cambridge correctly says that the research shows the enormous benefits that concessionary bus passes bring to older people. For example, although it also covers modes of transport other than buses, Transport for London’s freedom pass is aptly named, as it continuously raises—it is mostly 66 for people in England. In Scotland, Wales and Northern Ireland, we have retained a qualifying age of 60, which is clearly a good thing. We know about the WASPI—Women Against State Pension Inequality Campaign—women who have lost pension; they have suffered a double whammy, because they cannot retire when they want and they do not get free bus travel. They must wait longer for all their benefits, and that is a real shame. At least in other parts of the UK there is a slight mitigation for those women, because they can still have concessionary bus passes.

I personally consider Labour’s proposed scheme for free bus travel for the under-25s to be a good thing. There was a wee bit of friendly fire in the debate on the question of how well costed it might be, so it would be good to hear the shadow Minister, the hon. Member for Reading East (Matt Rodda), explain the costings. In Scotland we are looking at extending the scheme not universally to the under-25s, but to modern apprentices, to help young people get to work, so we are going somewhat in that direction. We also have free travel for under-25s if they are volunteers. It would be good to hear how a universal scheme for under-25s would operate.

This is the type of Westminster Hall debate where those who speak are mostly in agreement. We all agree that concessionary bus travel is a good thing that should not be eroded. The UK Government need to look at extending it along the lines we have heard about, and that certainly includes removing the link between eligibility and pension age. There are clear benefits in reducing loneliness and promoting social cohesion, and of course there are cost benefits. To give one more example, in response to what the hon. Member for Strangford said about the middle class, I speak to people who could be called middle class who love using their bus pass in Scotland for travelling and going out and about. I am a big fan of Kilmarnock Football Club and some of those people use their bus passes to go to away matches. People may ask why middle-class people should do that, but it gets them out and about, and used to using buses. There are cost benefits, as we have heard, because they go to other places and spend money, buying meals and so on, which helps the economy more widely.
My hon. Friend is also right, however, that the funding for concessionary bus passes has been contentious. Although there is a statutory duty on local authorities to provide concessionary travel schemes for pensioners and disabled people in England, there is no ring-fenced money. At a time of growing austerity, local authorities have highlighted how funding cuts have forced them to divert money from other services to continue to support the concessionary fares scheme. A recent Local Government Association briefing estimated that there is a £200 million shortfall in the moneys paid by the Ministry of Housing, Communities and Local Government as a non-ring-fenced formula grant. I am afraid that is down to a failure by the Government in devolving the cuts, giving local authorities the responsibility to deliver services while not providing the resources, or the means for them to raise funds, for that delivery. The next Labour Government, however, have committed to enabling councils across the country to provide first-class bus services for all, by extending the powers to deregulate local bus services to all areas that want them.

We have also committed to supporting the creation of municipal bus companies: those publicly run for passengers and not for profit. Municipal companies often provide cheaper services. They have higher usage and, as a result, provide much better value, both to passengers and to local businesses and services. Firms such as Nottingham Transport Group, and Reading Buses in my constituency, are indeed a model for many other areas. We would also introduce regulations to designate and protect routes of critical community value, including those that serve schools, local hospitals and isolated settlements in rural areas.

Labour will always be on the side of pensioners and will work to ensure security and dignity for older people in retirement. In our last manifesto we committed to keeping free bus passes for older people as a universal benefit, which we believe is a right rather than a privilege. However, as has been mentioned, we would go further. We are committed to concessionary travel, and the next Labour Government will extend free bus travel to under-25s across the country, in a move that would benefit up to 13 million younger people. Young people and households with children have less disposable income than working-age adults or households without children. Young people tend to be in lower-paid and more insecure work and they spend a higher proportion of their income on travel. Free buses are therefore an investment in the future of our children and young people, through improving their access to education and work. As with older people, encouraging children and young people to lead more active lives has significant related public health benefits.

The next Labour Government will provide funds for free travel for under-25s for local authorities that introduce bus franchising, as mentioned by my hon. Friend the Member for Keighley (John Grogan), or move to public ownership of local services through municipalising buses. Labour will support and incentivise such local authorities, and local municipal bus services will be run for passengers and not for profit. Research shows that removing the profits that are extracted from the bus sector would achieve savings of £276 million per year for the taxpayer.

On savings for younger people, it has been noted that they would save up to £1,000 a year through free bus travel, which would generate a lifelong habit of using public transport. We will pay for that by using just one fifth of the revenue from the vehicle excise duty, which is currently ring-fenced for building new roads. We are committed to providing additional funds for new road building to support that policy through our other borrowing from central Government.

I am interested to hear what the Minister has to say about the policy, given her previous remarks that the scheme is undeliverable, despite the Welsh Conservatives proposing a similar policy last autumn, offering free bus travel for all 16 to 24-year-olds in Wales. Perhaps the Minister will explain why a policy of free bus travel is affordable for young people in Wales but not in England.

I agree wholeheartedly with my hon. Friend the Member for Cambridge that the Minister’s announcement that the concessionary bus fare scheme is no longer subject to review is welcome. I am glad that he highlighted the immense value in our policy of free bus travel for under-25s, and I urge the Minister to join him in that.

The Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani): I congratulate the hon. Member for Cambridge (Daniel Zeichner) on securing this debate about concessionary bus passes, and it is a pleasure to serve under your chairmanship, Ms Ryan.

I am a little bit nervous that I am not dancing or doing cartwheels, and the hon. Gentleman wanted a lot of excitement. Nevertheless, he is right that this debate is very timely and I am delighted that we are here this morning to mark the national concessionary bus pass. Instead of my dancing and singing, the good news may be that I announced some legislation only last month to protect the national concessionary travel scheme in its current form. I know that this issue was raised by more than one Member, so the Government have demonstrated our commitment to making sure that we no longer have to review legislation every five years, and this scheme will now be protected. Surely no greater celebration than that is needed.

Buses are essential for many people to get to work, to school, to doctors, to hospitals and to shops. Also, many hon. Members have commented today on how buses help to tackle loneliness and aid cohesion. For many people, particularly those in rural areas such as my constituency, the bus is a lifeline and without it they would not be able to access essential services or go shopping and socialise, with over half of those who rely on buses having no access to cars.

Lilian Greenwood: As the Minister represents a rural area, does she share my concern about the fact that the number of bus miles being served is decreasing? In the last year alone, there has been a 13.8% decrease in mileage on local authority-supported services, which she will know are approximately a fifth of all services. What will the Government do to address that decline in supported services?

Ms Ghani: Bus services in rural areas are a concern—especially in my constituency of Wealden—when we are dealing with an older population and people who might not have access to cars. However, this issue is complicated; it is not just about making sure that there is more money available. Funding is available through...
the £250 million grant that supports bus services, and the bus service operators grant, with £40 million going directly to local authorities. It is also about making buses accessible and easier to use. I will go on to discuss the other things that we are doing to make buses a far more attractive way to travel, in one’s own constituency let alone across the country.

Before that, however, I will just go on to another issue that the hon. Lady raised, which was loneliness. As part of the Prime Minister’s commitment to deliver a national strategy on loneliness, a ministerial group has been set up: I sit on that group as the representative of the Department for Transport. I am a passionate campaigner—even if I am not doing the cartwheels that the hon. Member for Cambridge wanted—for explaining and sharing how buses are vital in tackling loneliness and helping cohesion.

The benefits of a reliable and innovative bus service are clear—less congestion, greater productivity, and communities that are connected rather than being kept apart. However, we need more people to benefit from buses. That is why we introduced the Bus Services Act 2017, which provides local authorities with new powers to bring about change and unlock the potential for the bus industry to achieve more for passengers than it does today.

That includes a range of powers to introduce franchising or enhanced partnerships, with guidance on how local authorities and bus operators can work together to improve bus services in their area. These could include multi-operator tickets, improved vehicle standards and better connections between transport modes, employment and housing, all of which will drive an increase in bus usage and performance.

That is also why, as I mentioned earlier, last month I announced a change in legislation to protect the national concessionary travel scheme in its current form, so that it can continue to provide free travel for elderly and disabled passengers for years to come. It has been noted that the scheme has a value of £1 billion for 10 million people, which means 929 million concessionary bus journeys, or, on average, 95 bus journeys being taken per bus pass.

The concession provides much-needed help for some of the most vulnerable people in society, offering them greater freedom, independence and a lifeline to their community. It enables around 10 million older and disabled people to access facilities in their local area, and helps them to keep in touch with family and friends. It also has benefits for the wider economy, which was a point made earlier.

The national concession sets a minimum standard available to any eligible person anywhere in England, but of course it does not come cheap. That is why, given the current economic situation, there are no plans to extend the remit of the basic concession any further. However, local authorities have the powers to enhance the offer with discretionary concessions, according to local need and funding priorities. That may include extending the times when concessions are available to include peak-time travel, offering a companion pass for people who need assistance to travel, and offering concessions on different modes of transport. Some 71% of local authorities offer further concessions for elderly and disabled passengers. In Cambridgeshire, there are concessions for the elderly and the disabled before 9.30 am and after 11 pm.

Encouraging bus use among the elderly and the disabled is about more than just concessions. We are doing a lot to make buses more accessible. I draw attention to the comments made by the hon. Member for Strangford (Jim Shannon) on dealing with disability in his family and accessibility. On occasion, when I am allowed to leave this place, I am a carer for my parents, who both have very different disability needs. I know full well the occasional difficulties of being unable to understand which buses are running on which routes when dealing with people with different disabilities.

I will say more about accessibility later, but the hon. Gentleman will know that the Equality Act 2010 requires the bus industry to ensure that buses are as accessible as possible for disabled passengers. Recently we also made announcements to make it clear that priority seating should be for people in wheelchairs. Since 2016, all buses have been required to meet minimum standards, with low-floor access. From March this year, all drivers are required to complete disability awareness training.

The next step will be to ensure that all buses have audio-visual announcements, so that people with hearing or visual impairments have confidence that the bus they take will work for them. We plan to consult on those proposals this summer.

Alan Brown: I welcome audio-visual announcements. I am one of the MPs who backed the “Talking Buses” campaign by Guide Dogs. Can the Minister give a clearer timescale for when audio-visual information will be mandatory on buses?

Ms Ghani: We have had the action accessibility plan, which we will respond to shortly—within the month.1 We are working with the Royal National Institute of Blind People and the charity Guide Dogs. We meet regularly with them to talk about how we can make the information available on all our buses, and in the most appropriate form. Unfortunately, during a trial some passengers complained that too much information was being given out all the time, and that occasionally the wrong information was given out. We are working on that with all the charities involved with people with visual impairments.

The hon. Member for Reading East (Matt Rodda) has talked about concessions for younger people on several occasions. I draw attention to the comments made by the hon. Member for Keighley (John Grogan) that any concessions or free bus service available for younger people has to be financially robust and stand up to the rigour of examination. The Government recognise that public transport is of particular importance to young people, and that the cost of travel can cause difficulty for those seeking education, training or employment opportunities. That is why a trial extension of discounted rail travel for 26 to 30-year-olds has recently been announced. That industry-led initiative to gather evidence on a full roll-out has seen a 100% take-up. The first phase of the trial saw 10,000 railcards sold across Greater Anglia, including Cambridge.

As I mentioned, local authorities have the powers to offer travel concessions on buses to local residents, and there are many examples of that for groups such as students. As part of the Bus 18 partnership between

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operators and West Yorkshire combined authority, there
are half-price tickets for young people up to the age of
19, and pupils wearing their school uniform will no
longer have to show a half-fare bus pass. In Liverpool,
the voluntary bus alliance between Merseytravel, Arriva
and Stagecoach has seen a flat fare of £1.80 for young
people, with growth of 140% in bus travel by young
people, as well as overall passenger growth of 16%. In
Hertfordshire, young people aged 11 to 18 can pay £15 for a card that entitles them to half-price fares on
local services.

There is more to encouraging bus use than cost alone.
A recent report by Transport Focus found that young
people want better access to information about buses.
That is why we introduced powers through the Bus
Services Act 2017 to require operators to provide better
information on fares, timetables and when the next bus
will arrive. In addition, a national scheme such as that
in place for older and disabled people would require a
change to primary legislation, but there are no plans to
do that at present. The hon. Member for Reading East
will appreciate that this is a complex area and there are
no quick and easy solutions. The Department continues
to work with local authorities and bus operators on
young people’s travel.

I return to the comments made by the hon. Member for
Keighley on the robust nature of the budget put
forward for free bus travel for the under-25s. Labour
originally calculated that policy to cost more than £1 billion,
but unfortunately, the numbers were later calculated to
be closer to £13 billion. At the moment, that has not
reached robust investigation in Westminster Hall.

**Matt Rodda:** I thank the Minister for her support and
praise for local discounted schemes. I want to raise the
report by University College London, “Social prosperity
for the future: A proposal for Universal Basic Services”.
Although we are not proposing this—perhaps to the
disappointment of my hon. Friend the Member for
Cambridge—the research by University College London
estimates the possible cost of free bus travel for every
person in the UK to be £5 billion per year. That
suggests that the Minister’s estimate of £13 billion is
somewhat excessive. Our estimate of £1.3 billion has
been costed carefully.

**Ms Ghani:** The hon. Gentleman started at £1.3 billion and
then moved on to £5 billion, which possibly could
reach £13 billion—I am a little nervous about the true
figure. We already have a concessionary programme
that costs £1 billion. To announce something as available
without it having been costed would do the bus industry
no service.

The hon. Member for Kilmarnock and Loudoun
(Alan Brown) mentioned apprentices; the Department
is considering concession options for apprentices and is
completing research on a feasibility study. We will report
on that later this year and it will inform the development
of the policy. There are no plans to fund such a scheme
but we will see what the feasibility study concludes.

Reimbursement by local authorities to bus operators
is made on a “no better off, no worse off” basis. The
hon. Member for Cambridge noted that reimbursement
appeals have been in decline and have reached a new
low. In 2006-07, there were 69 appeals, but in 2017-18
there were just 21. That means that operators are fairly
recompensed for the cost of providing concessionary
travel in both urban and rural areas. The reimbursement
mechanism is now fit for purpose, as shown by the large
fall in reimbursement appeals in recent years. EU state
aid rules do not allow the Government to provide the
concessionary scheme on any other basis—it cannot be
used to provide hidden subsidy to operators.

Much has been said about the increase in pension
age; the state pension age of men and women is being
equalised. The pensionable age for women has risen
gradually to 65 this year, and the state pension
age for both men and women will rise to 66 by 2020.
Equalising the age at which free bus travel applies
makes the national travel concession scheme more
sustainable. Finding efficiencies in this way rather than
cutting back on the entitlement offer to older and
disabled people is the best way to focus support on
those who need it most.

It is right that Government support focuses on the
most vulnerable members of society. The Government
believe that local authorities are often in the best position
to offer concessions that work for the people who live
there. All local authorities have powers to introduce
concessions in addition to their statutory obligations,
including the extension of concessionary travel to those
who are yet to reach the qualifying age. For example, in
Cambridgeshire, the largest operator offers half-price
to jobseekers.

I return to the point raised by the hon. Member for
Cambridge about securing funding for concessionary
travel schemes, which sit across many Departments.
He was right to note that the Ministry of Housing,
Communities and Local Government is responsible for
the concessionary travel budget. The Treasury is jointly
responsible for local authority ring-fencing. I work with
all those Departments to ensure that we get the best
that we can for bus services. We have just agreed a
further two-year ring-fence for the local authority element
of the bus service operators grant for the next two years.

The hon. Member for Cambridge also mentioned
franchising; he will be aware that any local authority
can request franchising, but will need to demonstrate
delivery capability and a track record of doing so. We
will see how that pans out.

I want to quickly talk about air quality and congestion,
which was raised by the Chair of the Transport Committee,
the hon. Member for Nottingham South (Lilian
Greenwood). We have recently made some good
announcements on that. The Government are committed
to buses being greener, which is why we announced an
extra £48 million for ultra low emission buses. That
follows £30 million in funding for 300 new buses through
a low emission bus scheme and £40 million for retrofitting
2,700 older buses to reduce tail-pipe emissions of nitrogen
dioxide through the clean bus technology fund. We are
trying to make journeys easier and more accessible, and
to ensure that the concessionary bus pass remains in
place.

I hope that I have demonstrated that the Government
are committed to protecting the national concessionary
travel scheme for buses. We are keen to do what we can
to improve bus service patronage. Of course, I will meet
with the hon. Member for Cambridge if he has good
evidence of best practice, especially of initiatives that
have taken place in other countries that we can use here,
[Ms Ghani]

and especially if they involve new, innovative technology, to learn as much as we can to ensure that the Department is doing what it can to increase bus patronage.

We are determined to ensure that bus patronage increases as much as it can, and we are focused on delivering concessions to those who need it most, while allowing local authorities and operators the flexibility they need to support their local populations. It was interesting to hear that, as we get older, we migrate from the front of the bus to the back of the bus, and then to the front of the bus again. Hopefully, we can all wait our turn until we get hold of our concessionary bus pass. Some will have to wait a little longer than others, but it will definitely be there, once we reach our old age.

10.51 am

Daniel Zeichner: I thank all hon. Members for the positive and constructive tone of the debate. I commend the Minister for her enthusiasm for the national concessionary fares scheme, which I hope will take it out of the political arena in future. For many older people, it has been a cause for concern but, if I understand what she is saying, we no longer need to have any concern about it.

A couple of points came out of the debate, such as universalism and means testing, as raised by the hon. Member for Strangford (Jim Shannon). It is fair to say that that debate ran through the Labour Government years. I think it has shifted in favour of universalism, and I hope it continues to, for all the reasons that hon. Members mentioned, such as bringing society together. There is an old adage that services for the poor produce poor services, but if they are universal services, they will be better services. That case has been particularly well made in terms of transport.

In the wise words of the Chair of the Transport Committee, my hon. Friend the Member for Nottingham South (Lilian Greenwood), the concern is the declining availability of buses in too many areas. Having a bus pass without a bus is no use to anybody. In some of my wider reflections about how we could make better use of the public money that is spent, I was trying to suggest how to reverse what has seemed to many of us to be a sad decline. We all want my hon. Friend, the Member for Keighley (John Grogan) to enjoy the view from the front of his bus, but I suspect that if many more young people were on that bus, whether they were sitting at the front or the back, there would be more chance of having it. I commend Labour’s policies to the Minister and I suspect, over time, that we may well see progress.

Question put and agreed to.
Resolved.
That this House has considered concessionary bus passes.

10.53 am

Sitting suspended.

Children Missing from Care Homes

[Mr Philip Hollobone in the Chair]

11 am

Ann Coffey (Stockport) (Lab): I beg to move.

That this House has considered children missing from care homes.

It is a great pleasure to serve under your chairmanship, Mr Hollobone. One of the first Adjournment debates I initiated in this House in 1995 was on the subject of children’s homes. I am pleased to say that since that time, there have been many improvements in regulation and inspection. In 2012, the all-party parliamentary group for runaway and missing children and adults, which I chair, held an inquiry into the risks faced by children missing from care homes. The inquiry expressed serious concerns about the high numbers of vulnerable children living away from their home town, some at a considerable distance. We heard evidence that children living in distant placements in children’s homes were more likely to go missing and therefore at higher risk of physical and sexual abuse, criminality and homelessness. I must make it clear that I of course accept that placing a child in another area can sometimes be in that child’s interest. My concern is that children are being placed in children’s homes out of their local area because there is no choice in provision.

Ministers responded positively to our report and introduced a number of changes in 2013 to try to reduce the number of out-of-area placements, but despite repeated pledges the latest Department for Education figures show that the numbers in placements subject to children’s homes regulations have soared from 2,250 in March 2012 to 3,680 in March 2017—a rise of 64%. They now account for 61% of all children in children’s homes.

At the same time, the number of children going missing from children’s homes out of their area increased by 110% between 2015 and 2017. That compares with a 68% increase in children going missing from children’s homes in their own area. Some 10,700 children went missing from all care placements last year, initiating 60,720 reports, of which 12,200 missing episodes, or one in five, were from placements 20 miles or more from their home address.

On average, children go missing from all care placements six times per year. About 40% of all missing incidents involved a child from a children’s home, despite the fact that they only account for 8% of all looked-after children. It is extremely concerning that nationally about 500 children were missing for more than one month in 2017, and 4,770 were missing for between three and seven days. Children who go missing are at risk of coming to harm and falling prey to grooming by paedophiles for sexual exploitation and by organised crime gangs exploiting them to carry and supply illegal drugs in county lines operations.

Figures for my own area of Stockport show that 53% of children reported as missing in April this year were at risk of child sexual exploitation and 65% of children who went missing from Stockport care homes were placed from other authorities. The report of the expert group on the quality of children’s homes set up by the Department for Education in 2012 said that, “being placed a long way from family and friends is often a factor in causing children to run away.”
Those children are also more likely to be targeted for sexual exploitation, as has been highlighted in cases in Rotherham, Derby, Torbay, Rochdale and Oxfordshire.

The last Labour Government placed a duty on local authorities to secure sufficient accommodation for looked-after children in the local authority area, so far as is “reasonably practicable”. The intention was to ensure local provision for looked-after children, so that they could be placed nearer to home, with access to friends, family and support services. Local authorities are required to publish a local sufficiency plan detailing how they are meeting that duty. However, despite the existence of these plans, the number of children being sent to live away from their home area remains stubbornly high.

One of the main conclusions of our 2012 inquiry into children missing from care was that the unequal geographical distribution of children’s homes meant that large numbers of vulnerable children were placed away from their home area. We found that many placement decisions were made at the last minute, driven by what was available at the time, and in some cases by cost, rather than by the needs of the child. Children told our inquiry that they felt dumped in children’s homes many miles away from home, which increases their propensity to go missing.

One of the expert group’s conclusions was that local authorities must improve the planning, management and monitoring of placements for looked-after children. Introducing the Children and Families Bill in February 2013, the then Children’s Minister, Edward Timpson, called for an end to the out of sight, out of mind culture, which he asserted had led to the high number of

Children assessed as vulnerable due to missing episodes do not appear to be more regularly linked directly or through association to drug networks operating in the areas they reside.”

I recently surveyed all 45 police forces about the use of vulnerable children by drug gangs with county lines operations. Many forces, including Humberside and Essex, cited evidence of the targeting of vulnerable children in care—especially those living away from their home areas.

Alex Burghart (Brentwood and Ongar) (Con): I congratulate the hon. Lady both on the great work she has done in this area over many years and on securing the debate. Does she agree that the one thing that children in care need most is stability? In instances in which children have to be removed from their parents, we should attempt to preserve stability in as many other facets of their life as possible. If we leave them isolated, they can fall prey to exactly the sort of malign influences that she describes.

Ann Coffey: I absolutely agree. The hon. Gentleman has put his finger on it: children need stability. They need it when they live in families and also when we take them into our care. We should remember that and plan a care system that responds to that need for stability, taking into account what children say they need as well.

The other aspect I am concerned about, which I highlighted during a previous Adjournment debate on children’s homes in April 2016, is the continuing unequal distribution of children’s homes. Some 54% of all children’s homes are concentrated in just three regions. Nearly a quarter of all care homes, but only 18% of the children’s home population, are in the north-west of England. Conversely, London has only 5% of children’s homes, but 14% of the children’s home population.

The choice of placements for children is constrained by the uneven distribution of children’s homes. Children can be placed only where there are children’s homes. The care market does not seem to be working for children: an increasing number are being placed outside their home area, and consequently an increasing number are going missing and are at risk of harm from those who seek to exploit their vulnerability.

The unequal distribution of children’s homes demonstrates a continuing catastrophic failure of the care market for some children. The system seems to work for the providers, but not for the children. The failure of the care market can be demonstrated vividly by the 2017 north-west placements census. Placements Northwest is a regional children’s service that assists the 22 local authorities in the north-west that make out-of-authority placements. It said in its recent report: “There remain many young people from the North West placed outside the region, in part because of the 693 beds located here taken up by young people from the rest of the country.”

There has been a significant and unprecedented increase in the number of externally purchased residential placements, which have risen to 836 active placements, up from 646 in 2016. This has resulted in an estimated increase in spend of £45 million between 2016 and 2017, from £95.5 million to £145 million—“a very significant and unsustainable increase in the spend on residential services driven by increased consumption and increased unit cost of individual placements”.

For the first time, the cost of some homes has hit £5,000 per week per child, which now applies in 9% of placements. Placements Northwest maintains that the increased mismatch between demand and supply is a
driver in the increased costs. It adds that the costs of residential placements seem inconsistent between providers and purchasing decisions, and that they are often led by available capacity rather than clinical social work decisions about what is best for the young person.

In his independent review of children’s residential care in England, which was published in 2016, Sir Martin Narey said:

“Certainly, too much of what I saw and heard was really about buying places in children’s homes, not about commissioning them.”

That is an important statement, because commissioning is about ensuring that there are places where they are needed, not simply placing children randomly where there happens to be a place.

Edward Timpson, the former Minister for Children and Families, said in his response to the debate on children’s homes in 2016 that he shared concerns about uneven distribution of children’s homes and that he wanted to see more regional commissioning. He said:

“there are still instances where the supply of places distorts too many decisions.”—[Official Report, 19 April 2016; Vol. 608, c. 131WH.]

I welcome the setting up of the new residential care leadership board under the chairmanship of Sir Alan Wood. Sir Martin Narey said that it could improve commissioning and obtain better value for money for local authorities, and will look into out-of-borough placements. I hope the Minister will give the House some information about its progress.

We also need a better understanding of the relationship between out-of-borough placements and children going missing. For example, a child could be placed more than 20 miles away from their home but could still be inside their local authority’s boundary, whereas a child could be placed five miles away but be in another local authority’s area. Is the problem distance, or the fact that it is more difficult to support a child who lives in another council’s area? What matters to children? Is the quality of placement a mitigating factor? I do not know the answer, but it is alarming that nobody else seems to, either.

This is a complex area. Each child’s needs are unique. Of course, it is not always possible to find the perfect placement, but if the evidence collected over the years is correct that distance and being placed away from home are factors in children’s going missing from care homes, it cannot be right that in spite of that evidence, concerns about such placements and an increasing understanding of the risks of harm to children when they go missing, more children are being placed out of their home area than in 2012.

The Department for Education collects data about the number of children’s homes, children placed in them, and out-of-borough and distance placements, and it collects a lot of comprehensive data about children going missing from children’s homes. The situation is much improved, compared with 2012. However, it would be helpful if the Department could bring that data together in a more accessible form—perhaps in a yearly datapack.

Ofsted also collects data about children missing from children’s homes at each full inspection to inform its lines of inquiry for that specific inspection, which include whether the child was living out of borough. Although that information is not published, it is a potential source for understanding the patterns of children going missing.

It is very difficult for individual local authorities to be commissioners of children’s homes because they simply do not have the financial clout. Of course, they can be direct providers, which would give them much more ability to provide the care needed by their looked-after children. Devolution offers Greater Manchester combined authority an opportunity to commission on a regional basis. However, the DFE needs to offer support to regional commissioners to help them to develop a framework for commissioning the provision of children’s home places where they work best for children. Perhaps the Minister could tell us more about that work.

The innovative “Achieving Change Together” project in Rochdale and Wigan, which was funded by the Department for Education, demonstrated a successful alternative approach. It invested in social workers and worked with young people on the edge of care to keep them in their communities and families, which is much better than placing them in distant children’s homes and secure units. Perhaps that is a way forward—there has to be one.

If we take on responsibility for the care of the most vulnerable children and young people, we have a responsibility to keep them safe. The evidence suggests that that is not happening: an increasing number are being placed in children’s homes outside their home area, and an increasing number are going missing from those homes and coming to harm. Children’s homes need to meet the needs of children. If locality is an issue for children, local authorities and Government need to respond to that need proactively to ensure that change happens and their needs are met.

11.16 am

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): I commend the hon. Member for Stockport (Ann Coffey) on securing this important debate. The Government share her commitment to protecting all looked-after children by giving them a stable, loving environment where they can succeed and achieve the outcomes we would all want for our own children. I also commend my hon. Friend the Member for Brentwood and Ongar (Alex Burghart) on his previous work and on his ongoing work, now as a parliamentarian. His is a committed and serious expert voice.

I share the hon. Lady’s concerns about placing children far away from home. However, we recognise that, for very specialist provision, a child may sometimes need to be further away from home. In addition, as she rightly points out, sometimes circumstances make it the right decision for a local authority to identify a placement outside of the child’s local area, such as when a child is at risk from sexual exploitation, trafficking or gang violence, which she spoke about eloquently.

I fully recognise that placing a child far away from home can break family ties and make it difficult for social workers and other services to provide the support a young person needs. I have first-hand experience of speaking to a child about his personal problems when he was placed too far away from his mother, who is clearly very loving but was unable to provide the safety he needed, which meant he had to run away. It is also in
many ways unsettling for children—the hon. Lady is right that it increases the likelihood of them going missing from care.

The needs of the child must be paramount when we make decisions about the right care placement. As the hon. Lady rightly described, local authorities have a duty to consider the right placements for the child and take into consideration a number of factors, one of which is placement area. However, there must be effective planning and oversight of the decision. The hon. Lady will be aware from earlier discussions that my Department has worked closely with local authorities through the Association of Directors of Children’s Services to strengthen legislative safeguards relating to children being placed out of area. Directors of children’s services must approve all decisions to place a child in a distant placement. That directive encompasses all placements that are more than 20 miles away from the child’s home address. Ofsted will also challenge local authorities where they believe poor decisions on out-of-area placements are being made.

As the hon. Lady rightly points out, far too often local authorities are unable to find the right care placement in the right location to meet a child’s needs. Local authorities remain responsible for ensuring a sufficient range of placements for looked-after children and for working with their local providers to make sure that provision meets the needs of the young people living in that area. Sir Martin Narey pointed out in his review of residential care that there is value in local authorities coming together to fulfil those responsibilities so that they can jointly commission and address gaps in provision.

That is why we are providing almost £5 million in innovation programme funding to test new commissioning arrangements that bring local authorities and providers together to achieve better outcomes and improve the experiences of looked-after children. The projects being funded are in and around London, where demand for places far outstrips supply.

To deliver the degree of change needed, all those involved in the commissioning and provision of care in children’s homes will need to work together. Only by working in partnership will we be able to tackle the trickiest issues and deliver a sustained improvement in the quality of care for the country’s most vulnerable children. That is why we are also setting up a residential care leadership board, chaired by Sir Alan Wood, so that sector leaders and practitioners can come and work together to drive improvements in commissioning and address gaps in provision. The board will engage with the wider sector to support the development of new approaches and ensure that best practice is shared and implemented.

For a small number of very vulnerable children, a secure home is the best environment and can address why they go missing from care. We are improving the availability of this provision in partnership with ADCS, the Local Government Association, the Youth Custody Service and the Secure Accommodation Network. That work is also being driven by Sir Alan Wood, the chair of the residential care leadership board. We are considering the best long-term commissioning arrangements for secure homes and looking at options to build local capacity. In the interim, we continue to fund Hampshire County Council’s secure welfare co-ordination unit. Through that unit, we have established a central point of contact and source of support for all local authorities seeking secure placements. We continue to invest in the secure estate with our £40 million capital programme over this spending review period.

We have made it a requirement of all children’s homes to have clear procedures in place to prevent children from going missing. The statutory guidance empowers homes to challenge local authorities where they are not providing the input and services a child needs, which include offering an independent return-home interview to a child after a missing episode, which could help to inform care planning and reduce the risk of repeat missing episodes.

In addition to Ofsted’s inspection of individual children’s homes, Ofsted’s local authority inspections always report on the responses of local authorities and their partners to missing incidents, highlighting good practice and identifying specific areas for improvement. Since 2013 the Department has published guidance on protocols regarding how and when Ofsted can share information on the location of children’s homes with the police—a positive development, I believe, that is pivotal to ensuring that children in care are robustly protected.

When children go missing they can be vulnerable to threats that include criminal exploitation and sexual abuse, and no child should have their life blighted by that abhorrent crime. That is why the Government’s “Tackling child sexual exploitation” report, and the follow-up progress report of February 2017, set out a national response to child sexual exploitation. We have boosted capacity and expertise in local areas that experience high volumes of child sexual exploitation by funding a CSE response unit, and we have introduced a new definition of child sexual exploitation, and practice guidance for professionals. We have also funded projects through the children’s social care innovation programme, such as the St Christopher’s Fellowship Safe Steps project, which is targeted specifically at children in care who are at risk of sexual exploitation. In addition, the £7.5 million centre of expertise on CSA, which is funded by the Home Office, is introducing evidence of what works to prevent and tackle child sexual abuse and exploitation.

We are working collaboratively to ensure that key partners in health professions and children’s social care are trained to identify and refer young people who are involved in criminal exploitation, such as the county lines mentioned by the hon. Lady. We are undertaking a nationwide awareness raising communication activity about the threat of county lines targeted at young and vulnerable people, including advice on how to avoid becoming involved with and exploited by gangs. I sit on the Home Secretary’s taskforce that seeks to tackle this scourge.

Again, I thank the hon. Member for Stockport for securing this debate, and I express my immense gratitude for the relentless passion and commitment that she has demonstrated over many years in her capacity as chair of the all-party group for runaway and missing children and adults, and for her wider advocacy for the wellbeing of children in care. Although I recognise the ongoing challenges, I am keen that we do not let them detract from the fact that children’s homes do a sterling job of caring for some of the most vulnerable children and young people. Residential care continues to remain a vital part of the children’s social care landscape.
The hon. Lady raised important issues, and the steps we are taking will support local authorities in addressing gaps in provision and ensure that the needs of young people are met in the right care placement. Our underpinning principle, as set out in the Children Act 1989, remains that the interests of the child are paramount, and that must be reflected in all decisions about individual children’s care.

The hon. Lady mentioned data. Since 2014, local authorities have collected data on every incident of a child going missing, not only those missing for more than 24 hours, which has been a massive improvement. I remind Members, however, that those data continue to be experimental, and in 2018 we will seek to ensure that the data are robust and can be presented in a form that will allow the hon. Lady and her colleagues to challenge us all the time, and to challenge local authorities to do better. I will soon visit Manchester—I hoped that it would be this week, but alas departmental duties mean that I have slightly to postpone the trip. I want to see the opportunities for Greater Manchester, where 10 local authorities can work together to have a commissioning strategy that works properly for children in that area.

Question put and agreed to.

11.28 am
Sitting suspended.

11.31 am
On resuming—

Mr Philip Hollobone (in the Chair): As the Member in charge of the next debate has been caught in traffic and is not here, we are unable to start it. I am afraid I shall have to suspend the sitting, without the debate, until 1 o’clock.

11.32 am
Sitting suspended.
that are not confident about being able to hire enough skilled labour is twice that of those that are confident. Reducing the skills shortages must be a key aim of our skills strategy and a barometer of its success.

Jim Shannon (Strangford) (DUP): I congratulate the right hon. Gentleman on bringing the issue to Westminster Hall. Northern Ireland has a very strong education and IT skills system, which has been key in creating jobs and attracting new business. Does he feel that the Government should be encouraged to look to Northern Ireland as an example of how a skills strategy can be brought together? There are good examples there. Let us use what is good in the rest of the United Kingdom of Great Britain and Northern Ireland to benefit us all.

Robert Halfon: The hon. Gentleman is a great champion of skills. We can learn a lot from Northern Ireland’s incredibly high education standards. I am sure we have a lot to learn from the skills and the IT that he has just mentioned.

I recognise that my right hon. Friend the Minister for Apprenticeships and Skills has her work cut out because, as the skills strategy is implemented, the economy is changing rapidly. Driverless vehicles will automate road haulage and taxi operations. Artificial intelligence will power medical diagnosis, and 3D printing will be used to construct bridges and houses. Our skills strategy needs to not only address the skills shortages in our economy, but create our most resilient and adaptable generation of young people. They will need to be able to turn their hands to new careers and demonstrate the human skills such as creativity that robots cannot master.

CBI research shows that the biggest drivers of success for young people are attitudes and attributes such as resilience, enthusiasm and creativity. Although 86% of businesses rated attitude, and 68% aptitude, as a top attribute, only 34% said the same of formal qualifications. The Department for Education’s own employer perspectives survey showed that more than half of employers said that academic qualifications were of little or no value when recruiting, while two thirds said that work experience was significant or critical. Yet in the same survey just 58% of businesses said that 18-year-old school leavers in England were prepared for work. That is a key blocker to social justice and a gap that must be addressed through the skills strategy.

Before they are delivered into the care of the Minister for Apprenticeships and Skills, young people have already received more than a decade of education in school. As I said in the House only a couple of weeks ago, I am convinced that the quality of education, particularly in English and maths, has improved greatly in recent years. Yet despite record overall levels of public money going into schools, the skills shortages in our economy have been growing. Clearly, something has become disconnected in the wiring between our schools and our skills systems.

Four key steps would build on the strength of the knowledge-rich curriculum to ensure that it fosters young people who are also skills-rich and behaviours-rich—the areas that employers say they value most. First, we must remember that since 2015 all young people have been required to participate in some form of education and training up to 18. Yet GCSEs remain just as much the high-stakes tests they were when many young people finished their education at that age. We must fundamentally reimagine this phase of education as a time for our younger people to prepare themselves for their future life and work. At a time when we can extend the ladder of social justice to young people from all backgrounds, broadening their horizons, building their skills and helping them develop the social capital that will take them far, we have an opportunity for that phase of education to end in a much more holistic and comprehensive assessment—a true baccalaureate. Just as the international baccalaureate does in more than 149 countries, this would act as a genuine and trusted signal to employers and universities of a young person’s rounded skills and abilities.

Secondly, we must match the broader phase of education with a broader and more balanced curriculum. I support the need for every young person to be able to access through their schooling a working knowledge of our cultural capital, our history and our literature. However, it is also essential that we develop the next generation of engineers, entrepreneurs and designers. A narrow focus on academic GCSEs is driving out the very subjects that most help us to do that. Entrants in design and technology have fallen by more than two fifths since 2010, alongside reductions in creative subjects such as music and the performing arts—the very skills that will give young people an edge over the robots. There is a real danger that no matter how hard the Minister for Apprenticeships and Skills works to make skills a success post 16, young people who have never experienced anything but an academic diet up to that age will be unable to compete for an apprenticeship or even progress to a A-level.

Thirdly, I often speak about the importance of careers advice, and it is vital, but we must go further and create deep connections between the world of education and the world of work that inspire and motivate young people. I am talking about employers providing externships so that teachers can experience local businesses and provide first-hand advice to their pupils, collaborating on projects that bring the curriculum to life and sharing real-world challenges to help students to develop their problem-solving skills. That kind of profound employer engagement strikes right at the heart of the social justice debate: it gives young people from all backgrounds the kinds of experiences, contacts and networks that have traditionally been the preserve of those attending elite institutions. We should merge the duplicate careers organisations into a national skills service that goes into schools and ensures that students have the opportunity to do skills-based careers.

Fourthly, we must acknowledge that what we measure affects what is delivered in the education system. Therefore, we should start to measure explicitly what really matters—the destinations of young people who attend our schools and colleges. At present, destination measures are seen as no more than a footnote in performance tables. We need to move destination measures front and centre, giving school leaders and teachers the freedom to deliver the outcomes that we want for our young people.

I had the pleasure last month of meeting senior education leaders from Nashville, Tennessee. Ten years ago, Nashville’s high schools had very poor rates of graduation, and businesses were clear that they were not receiving the skilled labour that they needed. They set about working intensively with the school board to revolutionise the system. In the first year of their high school experience, young people have the opportunity...
to take part in intensive careers exploration: through careers fairs, mentoring, visits and job research, they broaden their horizons and understand the full range of opportunities available. For the remainder of their time at high school, they join a career academy, which uses a particular sector of the local economy as a lens to make their schoolwork more relevant and engaging. Young people in the law academy learn debating skills by running mock trials, while those in the creative academy are mentored by lighting designers, who help them to understand the relevance of angles, fractions and programming in the real world.

The results are extraordinary. High school graduation has risen by more than 23% in 10 years, adding more than $100 million to the local economy. Attainment in maths and English has improved by as much as 15% to 20% as young people see the relevance of their work. Leading schools in the UK are already starting to show that similar approaches work just as well here. They range from School 21 in Stratford, where employer engagement is its ninth GCSE, to XP School in Doncaster, whose innovative expeditionary learning Ofsted has judged as outstanding across the board.

The planned programme of skills reforms can be a success only if it goes hand in hand with a schools system that is equally focused on preparing young people for work and adult life. I would encourage the Ministers responsible for skills and for schools to work closely together on that shared aim. I have no doubt that T-levels can provide great opportunities for young people to prepare for a successful career, and I am impatient to see them on the ground, having a tangible impact on young people’s lives. I would encourage the skills Minister to learn from some of our most prestigious apprenticeship employers and attach a rocket booster to the programme, but sometimes I wonder whether there is really a need at age 16 for young people to choose between a wholly academic route and a wholly technical route. Might many young people benefit from a more blended opportunity?

An excellent model exists north of the border in Scotland’s foundation apprenticeships, which are the same size as a single Scottish higher and can be taken alongside academic qualifications to maximise a young person’s options. They carry real currency with universities and support progression to higher education. They also allow a head start of up to nine months on a full modern apprenticeship. That is truly a no-wrong-door approach that helps people to keep their options open.

I want apprenticeships to go from strength to strength. Most people think of apprenticeships as helping young people to achieve full competency in their future career, but the figures show that in the 2016-17 academic year, 260,000 of the 491,000 apprenticeships started were at level 2, and 229,000 were started by individuals aged 25 and above. It is essential that apprenticeships continue to focus first and foremost on preparing young people for skilled jobs, otherwise we will weaken one of the rungs on the ladder of opportunity.

Continuing the expansion of degree apprenticeships—my two key words in the English language—will play a pivotal role in that. They hold the unique power to fundamentally address the issue of parity of esteem between academic and vocational education, which has plagued this country for far too long. They give young people the opportunity to learn and earn at the same time, gaining a full bachelor’s or master’s degree while putting that learning into practice in a real paid job. Leading employers are already making a dramatic shift from graduate to degree apprenticeship recruitment, which allows them to shape their future workforce. More must follow suit.

I recently came across an example of a remarkable university from Germany, DHBW Stuttgart, which is entirely made up of degree apprentices. I issue a challenge to our higher education institutions, including Oxford University, which will not even open the door to degree apprenticeships, to be the first to declare their intention to work towards becoming the first dedicated provider of degree apprenticeships.

We are at an exciting crossroads for the skills system. Employers are clear that there are significant and growing skills shortages, but they have given us a clear recipe to address them. The foundation for that must be laid in school by a broad and balanced curriculum, intensive employer engagement, and destination measures as a key driver of success. That will create the basis for a holistic system that prepares young people for high-quality T-levels and apprenticeships as part of a blended route that breaks down the artificial divide between academic and technical education to create a real ladder of opportunity for our young people.

1.17 pm

The Minister for Apprenticeships and Skills (Anne Milton): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate my right hon. Friend the Member for Harlow (Robert Halfon) on securing the debate. I am grateful for the opportunity to talk in broader terms. I have a great pile of briefings from my wonderful officials, which I will not refer to at all, because I would be telling him things that he probably already knows. He makes a wider point about why skills matter, and he is absolutely right that we have a significant skills shortage in this country.

I was at the WorldSkills competition in Abu Dhabi last year, and there was also a conference where I met many Ministers from Germany and Singapore—there were a whole host of them there. It is clear that we have a world skills shortage; it is not just in this country, although some countries are perhaps doing slightly better. One of the Ministers I talked to attributed their success in technical education, particularly at levels 4 and 5, largely to embedding maths and English so well in the curriculum. When young people came out of that skills system, it was a given that they had reached a high standard, so they could get on and take the academic or technical route that they wanted.

As my right hon. Friend rightly said, surrounding all that is this country’s economic need for a skilled workforce, but it is also about social justice. I did not go to private school and I did not have the networks that my right hon. Friend referred to, which many people have. In fact, I entered politics knowing almost nothing and absolutely nobody. I had to make it up on my own, which was fine for me—I chose politics as a second career—but it is not all right for a young person leaving school at whatever age they should not be about what someone knows or actually about what they know, or where they live or where they come from; it should be about what skills they have.
My right hon. Friend talked about what employers are looking for. Like him, I have heard that reiterated to me time and again. It is about resilience, attitude, team playing, problem solving and aptitude. Those will not be learned only in the classroom. He also talked about the narrow focus of the curriculum. In some ways, there has been a focus on some of those academic subjects for exactly the reason a Minister from another country pointed out to me: a good foundation in certain key subjects, such as English, maths and digital skills, is important. However, it is also important to widen young people’s eyes to the opportunities that are out there.

My right hon. Friend talked about employer experience, which is critical, particularly for children who are not doing particularly well at school, who are bored in lessons and who do not understand the point of it. Contact with employers demonstrates to them why they are learning those things. It gives them a goal and an aim; it makes it all make sense. Without that it is much harder, particularly for people who, for whatever reason—not necessarily to do with how bright they are—find school slightly more challenging.

Experience of the working world also prepares children to go on to the next stage. I am a mother of four children, and all four worked weekend jobs when they could, and certainly during the holidays. That gave them invaluable experience, because the errors they made will have stood them in very good stead when they went to university or into a job after leaving school.

My right hon. Friend is quite right that the glue around that is the provision of careers advice. Ever since I was at school, which was a very long time ago, I do not think we have got that right. The careers strategy that we published last year is a step in exactly the right direction. It is not necessarily particularly tidy, but the way to reach young people these days is not simply an hour-long lesson with a careers teacher; it has to be much more than that. At the end of the previous Parliament, he was responsible for changes to the Bill that meant that providers of technical education and of apprenticeships must be allowed into schools, which opens young people’s eyes to other possibilities.

John Howell: A difficulty in my constituency is that the sixth-form colleges do apprenticeships and skills training very well but ordinary schools do not; they are still wedded to an academic view of life. Does my right hon. Friend share my view?

Anne Milton: Yes. My hon. Friend mentioned an organisation in his constituency and its apprenticeship hub, and I commend that local initiative. I have seen something similar down in Gosport that showed an absolutely groundbreaking attitude. He is right that careers advice in schools has traditionally not always been very good.

Robert Halfon: I thank my right hon. Friend for what she said. She mentioned the legislation ensuring that schools have to invite apprenticeship organisations and university technical colleges into schools and further education colleges. What is she doing to enforce that? There are suggestions—and there have been a number of reports—that schools are not actually implementing the legislation.

Anne Milton: I am very mindful of that, which is why I have frequent meetings—I think weekly or every other week; certainly once a month—with the careers team in the Department for Education. The need to do this was introduced only in January, so we are in quite early days, but I will watch this, because the proof of the pudding will be in whether it actually happens.

My right hon. Friend rightly pointed out that teachers could do with some of this advice, because a classroom teacher might have left school, gone to university and got their degree, done their teaching qualification in whatever way they wanted, and never experienced the world of work outside the institutional school environment, and that experience is critical. I suggested that to a number of careers professionals the other day. It would be really worthwhile, particularly in the local economy, so that teachers understand the needs of local businesses and can tailor their whole approach to them. A career is what someone does after school, and that should be the thread that runs through everything they do within school. Otherwise, if someone is like I was at school, they will say, “What’s the point of all this?” That is absolutely critical.

Jim Shannon: I will not hold the Minister back for long. In my intervention on the right hon. Member for Harlow (Robert Halfon), I suggested perhaps looking at the Northern Ireland system, where education and IT skills are coming together. I wonder whether the Minister has had a chance to consider that.

Anne Milton: The hon. Gentleman is right; the Government should not be too proud to learn from anywhere that is doing well. We have set off on a course, but it is not restricted and I will pick up on anything that makes this process work. We have seen good progress, certainly on raising the quality of apprenticeships. We have gone from 3% of apprenticeships on standards up to 36%, which is well beyond what we expected. We are making progress. The opening up of degree apprenticeships is critical, and my right hon. Friend is right that it will help achieve that parity of esteem for apprenticeships. I think we will start to see a huge tide of degree apprenticeships coming forward, because employers will get not only people with the required academic qualifications, but people with the skills. For a young person leaving school, of course, it is a no-brainer; they are getting paid, they are getting a qualification and they will have no student debt. What is not to like about that?

Achieving that parity of esteem is important. My right hon. Friend talked about a holistic education, which is so important. There is a wonderful scheme in my patch—I was with it on Friday—whereby one of the independent schools provides a year’s worth of stringed instrument teaching to year 3 pupils. It is funded by the local community foundation. Royal Grammar School Guildford has been really supportive. That increases young people’s knowledge of things. They will not necessarily all go on to learn an instrument, but it widens and broadens their experience, so they will think of other things, and that will filter through everything they do.

Work experience is important because, as my right hon. Friend rightly said, we must be careful not to draw a sharp distinction between technical and academic education, with pupils feeling that they have to choose
between one or the other. The two must be interwoven, and degree apprenticeships are a way of doing that, whether at age 18, 19, 20 or whatever point. He talked about that as a ladder of progression, but I sometimes see it as a path, because a lot of the apprentices I have met have maybe done one or two level 2 apprenticeships, trying to find out which way they want to go and which is the best career option for them, while at the same time improving their skills and aptitude, and their ability to understand the knowledges and behaviours needed within the general workplace, rather than in one specific workplace.

I share, with a passion, my right hon. Friend’s view that we need to do this for the economy of the country, because employers are desperate for the skills. Employers now have the means to employ apprentices—those paying the levy and, soon, those not paying the levy. The means are there. What matters now is that we make the system work, because for me, as for him, it is a matter of social justice.

Question put and agreed to.
of things that need to be considered. There are 102,000 people at risk of being directly affected by landslides. Of those in flood and landslide-prone areas, 54% are children and 33% have vulnerable people under their control. Some 46% of water pumps are at risk from flooding and landslides, as are 38% of women-friendly services, and 36% of people are without access to clean and safe water. Only 1% of the 3,500 in need of legal and counselling services for sexual violence and trafficking have been reached. If we wanted seven good reasons why the Government should respond, which encapsulate the debate, those would be the reasons. Does the hon. Lady agree?

Jo Stevens: I could not have put it better myself. What was most shocking about Kutupalong was the number of children there. I have never seen anything like it, and I hope never to again.

It is now nearly nine months since the August 2017 slaughter and rape by the Burmese military. One shocking statistic is that an estimated 60,000 Rohingya women are pregnant in Kutupalong and other refugee camps along the southern Bangladesh border. Many of those women are victims of brutal sexual violence, used by Burmese soldiers as a weapon of genocide. Pramila Patten, the UN envoy on sexual violence, has described it as “a calculated tool of terror aimed at the extermination and removal of the Rohingya as a group”.

Aid agencies are preparing for a surge of births and abandoned babies at the camps, and it is reported that Bangladeshi social services have already taken in many refugee children whose parents have been murdered, have got lost or disappeared among the hundreds of thousands of people in the camps, or are unable to care for and support their children, having lost everything they owned in the flight from Burma. There is deep concern that many more children will be abandoned in the coming weeks by mothers who are victims of rape and cannot bear to keep their babies.

Mrs Anne Main (St Albans) (Con): Does the hon. Lady share my concern, and that of many in this House, that disease and contamination will be rife where there is a lack of sanitation. That is welcome, but a population of 1.3 million people will not survive monsoon rains. That will inevitably lead to harm and displacement as shelters collapse.

Jo Stevens: I entirely agree that it is about the topography, but it is also about the flimsiness of the available shelters—and not everyone has a shelter. The Bangladeshi Government have done wonders, given the limitations they have.

As the hon. Member for Strangford (Jim Shannon) mentioned in his intervention, 33% of the 102,000 people in Cox’s Bazar are classed as vulnerable—including single mothers, children, the elderly and the ill—and at particular risk of being killed in a natural disaster. However, the risks are not confined to the initial effects. For example, the rains will adversely affect mobility around the camps, which is already very restricted, turning steep dirt pathways into mud and making roads impassable. That could severely restrict access to more than half a million people, worsening the malnutrition rate. More than 91% of people are reliant on food supplies. The Office of the United Nations High Commissioner for Human Rights has made it clear that the shelter packs that I saw being handed out in Kutupalong in November by hard-working UNICEF aid workers will not survive monsoon rains. That will inevitably lead to harm and displacement as shelters collapse.

Jim Shannon: It has been reported that half of the refugee population do not have access to sanitation facilities. Some 13% do not have access to latrines. The latrines are not gender-segregated or fully functional. Does the hon. Lady share my concern, and that of many in this House, that disease and contamination will be critical at this time of year, during the monsoons?

Jo Stevens: I would use a terrible analogy, which is that it is a perfect storm. Conditions are terrible, and communicable diseases will be rife where there is a lack of sanitation. That is why the situation is so bleak. There is an urgent need for international action.

Shelters will collapse. At best, that will lead to overcrowding, but the obvious outcome is far, far worse. The latest round of oral cholera vaccinations will bring the number of locally vaccinated people up to 1 million. That is welcome, but a population of 1.3 million people are affected, so 300,000 are left unvaccinated, which is a desperate situation. We know that unsanitary conditions and malnutrition make people more vulnerable to all kinds of diseases. The World Health Organisation has been clear that the risk of disease, more than the initial flooding itself, could lead to a massive loss of life. The UN estimates that up to 200,000 people could perish.

Some preparations have been made for the monsoon season. I have seen the details of the upgraded shelter kits that are being made available to vulnerable families in the camps, but they consist of tarpaulin, rope, bamboo, wire and sandbags—no real protection against winds, severe rain and flooding. I am afraid that hundreds of thousands of refugees are effectively sitting targets for the monsoon, and that could be catastrophic.
What can be done? A crisis does not stop because the headlines have moved on elsewhere. I obviously welcome this weekend’s announcement of the additional financial support from the Government. That additional £70 million is good news, as it will help to fund some sanitation, healthcare and vaccination programmes for the most vulnerable refugees. The British public have shown remarkable generosity, raising nearly £26 million for the Disasters Emergency Committee appeal. In my constituency, the British-Bangladeshi community has raised more than £30,000 through the Cardiff Bangladesh Association, spearheaded by my Labour colleague, Councillor Ali Ahmed.

We need to recognise, however, that trying to protect a million people living in squalor on open hillsides is not a long-term solution. Will the Minister tell us what conversations he has had with other Governments about encouraging more international financial support to meet the overall funding shortfall? Access to the camps for the UN and other aid agencies is being held up by red tape. I have repeated conversations with aid agencies about that long-standing problem. I have also discussed it with the Bangladeshi high commissioner, and it does not seem to be getting any better.

We must work with the Government of Bangladesh to see an increase in the speedy registration of international organisations to work and deliver services in the camps. That will allow technical experts to support the incredible Bangladeshi response so far. Without that expertise, almost half a million people will continue to be unable to access services such as health, food, support and education. Will the Minister ask the Bangladeshi Government to streamline the FD-7 approval system by ensuring that applications are processed within the stated 48-hour window, to provide extended windows of at least six months for programme delivery, and to allow for appropriate visas for international emergency personnel?

The Rohingya have an inalienable right to return to Burma, and that right must be protected. It is vital that steps are taken to address the conditions that have forced and continue to force people to flee. The findings of the Annan commission on Rakhine state provide a nationally and internationally endorsed framework designed to address the marginalisation of the Rohingya—although I wanted it to go much further and recommend immediate and full citizenship for the Rohingyas. It is vital that the UK, in partnership with regional actors and partners, such as the Association of Southeast Asian Nations, supports the progressive implementation of those findings by the Burmese Government, but progress on ensuring Rohingya citizenship must be an essential condition for return.

In the longer term, the international community must work with the Government of Bangladesh to define, agree and finance a response to the crisis that supports refugees’ self-reliance, as well as contributing to improved conditions for host communities and Bangladesh’s own development objectives.

Richard Burden (Birmingham, Northfield) (Lab): The picture that my hon. Friend is painting accords absolutely with what the Select Committee on International Development saw when we visited Cox’s Bazar in March. However, I want to take her back to the monsoon and the action that needs to be taken now. She has already made the point that strengthening the shelters and shacks will simply not be enough to protect them against the monsoon. This goes back to the point made by the hon. Member for Henley (John Howell), but Bangladesh has said that it has been looking for other land to which Rohingya in the camps can be moved in an emergency. Does my hon. Friend have any information on whether progress has been made on that? If she cannot answer, perhaps the Minister will say something about that when he sums up.

Jo Stevens: I do have some information. An island has been identified as a potential space for refugees to move to. I am concerned about it because, as I understand it, the island is like a floodplain, so people would not be in a better position were they to be moved there. I hope that the Minister can give us more information about that, if he has been discussing it with the Bangladeshi Government.

Agreements have been reached with other refugee-hosting nations, including Jordan, Lebanon and Ethiopia, which provides an indication of what can be achieved with the right package of support, combined with strong partnerships. In my view, strong partnerships and political leadership on the rights of the Rohingyas, and action against Burma for its gross violations of international law, must go hand in hand. I want our Government to take a lead.

In January, I wrote to the Minister for Asia and the Pacific, the right hon. Member for Cities of London and Westminster (Mark Field), at the Foreign Office to ask the Government to support a referral to the International Criminal Court. In February, I was one of 100 parliamentarians who wrote to the Foreign Secretary in exactly the same terms. What was the response of the Burmese Government? It was to ban individual members of the International Development Committee from visiting Burma. The Minister will say that a UN Security Council resolution on a referral might be vetoed by Russia and China, but that is exactly why we in the UK must start to support a referral, building global support—from the European Union, the Organisation of Islamic Co-operation and other countries—to overcome such opposition. Our Government can hardly ask other countries to support a referral when they do not even call for one themselvess.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): My hon. Friend is making a very important point. Will she consider suggesting, first, that the Minister also look at freezing the assets of the Burmese Government and of people who are connected to that Government? Secondly, because the ICC covers citizens of signed-up countries, the Government should be clear that any UK citizens, or those with joint citizenship, could be referred to the ICC if or when any incidents occur.

Jo Stevens: I thank my hon. Friend for making that point. The Government should take every possible measure to show the horror we feel about what I believe to be a genocide in Burma. We should be taking the political lead, and everything that can be done should be done. As Edmund Burke, a former Member of Parliament, said, the only thing necessary for the triumph of evil is for good people to do nothing. This humanitarian and human rights disaster is about to be compounded by a natural disaster, which was entirely avoidable. It cannot
be allowed to happen again. Burma cannot be allowed to operate with impunity and to set an international precedent for the unpunished genocide of a minority population.

1.49 pm  

Mrs Anne Main (St Albans) (Con): It is a delight to serve under your chairmanship, Ms McDonagh.

This is an enormously important debate. We have heard the statistics about the amount of rainfall, so I shall not rehearse them, save that the north-eastern part of Bangladesh receives the greatest average precipitation of some 4,000 mm per year. By the end of the monsoon season, as the Minister knows because he has been there so often, a third of the country is under water. As other right hon. and hon. Members have seen, and as I saw when flying down from Dhaka to Cox’s Bazar in September, the landscape is vast and watery, barely above sea level. Many areas of Bangladesh are treacherous and cut off in the monsoon season, which was absolutely visible. There are already huge pressures on the population as a whole—not just the Rohingya—as a result of global warming and the rains. When those rains come, communities can be accessed only by boat, houses are damaged, crops and livestock are lost and, importantly, the rice harvest is often lost, which impacts the population’s future.

In the pre-monsoon and monsoon seasons, there are access constraints on the mud roads to which the hon. Member for Cardiff Central (Jo Stevens) referred. They become impassable, footpaths become slippery, and earthen stairs and slopes become dangerous and may collapse. Members who have been to the camps will know that they are like something from Mars or the moon, and will have seen the deforestation that has gone on to create mounds of earth. Where hills and mountains were covered in greenery, there are now barren, muddy landscapes with little to hold the soil together. Shelters and facilities will be flooded and damaged, prompting displacement and overcrowding in even more of the camp.

This issue is not new—as the Minister knows, it goes back 20 years—but Rohingya camps have never existed on such a scale, and never before have so many people been confined in such a small, cramped and inhospitable place, so there is no direct experience to indicate how that number of people will survive the monsoon. They have withstood monsoons in the past, but not in such numbers.

When I visited in September, I saw vast deforestation. An elephant rampaged through the camp, killed someone and was shot. People thought that was terrible, but to be fair to the elephants, every single bit of their habitat is gone. As far as the eye could see, the landscape was totally barren and vulnerable to landslips and shelter collapse. We were there for several days, and we actually witnessed 100 small, pitiful homes of the sort the hon. Lady described that had been washed away overnight. I felt utterly guilty to be listening to the heavy rain in my hotel in Cox’s Bazar. As we have all seen, many of the Rohingya in camps do not have shelters at all—some simply shelter under plastic bags and other small pieces of plastic, which they hold over their heads. It is pitiful. After several nights of heavy rain, the gullies that people had been easily fording turned into death traps, and we saw an individual who had drowned while trying to access food for his family being pulled out of a flooded gully.

I am appalled that, to resolve the overcrowding that no doubt exists in the camps, 100,000 individuals from that very camp may be relocated to Bhasan Char island, which the hon. Lady mentioned. That island—a misnomer if ever there was one—is basically a large mudflat. It is a shifting bank of sand that did not even exist 20 years ago. It is not an island but an accumulation of sediment formed by the Meghna river. It changes shape radically. If anyone has not looked at it, it is possible to go online and see its changing contours. Sometimes it is totally submerged under floodwater. It is not a suitable place to create a haven for the Rohingya.

I wrote to the Secretary of State and pointed out that the topography of the island makes it extremely vulnerable to flooding and cyclones, and that it regularly disappears underwater. I also mentioned the increasing concerns about the adequacy of resources such as food, water and additional facilities, and about humanitarian access to the island. I wrote that I am worried that the planned settlement—the media are trying to look at what is going on on Bhasan Char island, but it is being planned in quite a secretive manner—would, in effect, act as a prison camp. It would allow the refugees to be resettled, but I am concerned that the island would not be a safe haven for the Rohingya.

The Minister has stated that the Government have “concerns that the island may not provide safe accommodation for Rohingya refugees and we have shared these concerns with the Government of Bangladesh.”

Given that building is going on apace, and that plans are going on apace to relocate 100,000 people to Bhasan Char island, I want to know what progress if any has been made with stopping that relocation. A huge amount of building is going on. The designs for the island show that there will be cyclone shelters, which look amazingly like prison blocks. They are absolutely tiny. The Rohingya who are there are already traumatised. I question what the value of those cyclone shelters will be, if they are imprisoned on a featureless mudflat in the bay of Bengal, cut off from the current aid groups that are in the camps on the mainland.

The flooding of contaminated water has already been referred to. Camp sanitation is bleak—I know because I have used it. I am not surprised that there are outbreaks of E. coli and other faecal matter diseases, given the overflowing latrines. We do not know what facilities will be on Bhasan Char island. I would like to know if the Minister plans to visit Bhasan Char island to reassure us.

The UK has just generously pledged £70 million more. That is £129 million pledged on behalf of the British taxpayer. Many of my constituents are fundraising for the Rohingya. I do not think many of them are aware that there is a potential Alcatraz—as I refer to it—in the bay of Bengal. I would like to know whether the British Government plan to visit given the amount of development that has already happened there.

Lloyd Russell-Moyle: When the International Development Committee visited, we were told that NGOs had identified significant amounts of other land that would be safe for the Rohingya to be put into. Does the hon. Lady agree that the British Government need to use all their powers to get the Bangladeshis to release the land that the aid agencies have identified, and focus less on putting them on to an island?
Mrs Main: I accept the hon. Gentleman’s point. We cannot dictate, however, to other countries that have opened their arms and done a very big job in taking nearly 1 million people. Far be it for me to tell the Bangladeshi Government which bits of land they should give away. That would not be appropriate. I do have concerns, however, about the pieces of land that have been identified. To be fair—hon. Members have been there and seen them—other areas are barely above sea level, but the island is particularly vulnerable. With the cyclone coming on, a cyclone shelter just does not cut it.

I would like the Minister to have plenty of time to answer these questions, so I will not carry on much longer. The hon. Lady mentioned the pregnant women in the camp. I am concerned that women and children will be located on this island, many of whom are pregnant as a result of rape by the Burmese militia. We should call that out. I am absolutely appalled that we do not have any formal international recognition of the atrocities that the Burmese army are committing in order to call them out for what they are, which I believe is genocide and war crimes that should be held accountable.

I thank the hon. Member for Cardiff Central for bringing this debate and allowing me to speak in it. The British Government have been enormously generous. The Bangladeshi Government have opened their arms, but they have an election coming up and the Rohingya are not a vote-winning issue, as there are already pressures on the Government to sort out the problem with disease in the camp and some of the unfortunate practices that are being associated with the camp, which the local population are not happy with. My main point is that Bhasan Char island is not an acceptable place to send people who are already traumatised. Following the response I have had from the Government on sharing my concerns, I would like to know that the Minister has asked for a visit.

1.58 pm

Chris Law (Dundee West) (SNP): It is a pleasure to serve under your chairmanship, Ms McDonagh. I thank the hon. Member for Cardiff Central (Jo Stevens) for bringing this important and timely debate. I also thank the many hon. Members who have been to see first-hand Cox’s Bazar and to hear the accounts of the Rohingya refugees who are there at the moment.

Today, nearly 1 million Rohingya refugees have fled across the border from Myanmar into Bangladesh. Most of them arrived in the last year. These people have arrived with virtually nothing and have fled unspeakable levels of violence after decades of persecution accelerated rapidly over the last nine months. After fleeing horrific and barbaric violence, Rohingya refugees now face potentially life-threatening monsoon rains and cyclones this summer. As we have heard, the situation has the potential to spiral out of control and the need for collective action is more critical than ever before. Cox’s Bazar is already one of the most frequently flooded regions of one of the most flood-prone countries on Earth. To put that in perspective, monsoon and cyclone season brings more than 2.5 metres of rainfall in three months alone—more than four and a half times the average annual rainfall of my Dundee constituency, a region not unaccustomed to rainfall.

Pre-monsoon rains have already started in Cox’s Bazar, and the storms have damaged shelters. UNICEF has reported that many children have been sitting on top of their family shelters in an attempt to keep the plastic rooftops from blowing away. The Bangladeshi Government and aid groups estimate that as many as 200,000 refugees are at direct risk due to landslides or floods and require urgent evacuation, but they have nowhere else to go. Basic services, including clean water, sanitation and healthcare, remain inadequate, and the spread of disease will be worsened by flooding and stagnant water. In addition, one third of health facilities and nutrition centres, and more than 200 educational facilities, could be lost, putting at risk the lives of the 60,000 pregnant women and their babies—many of whom are born of systematic rape which, as we have heard today, is used as a weapon of war. To make it worse, it is highly likely that aid provision will be disrupted because the roads into the camps are made of clay and may become impassable after heavy rain.

When I visited Cox’s Bazar only two months ago with the International Development Committee, including some hon. Members who have spoken, I saw for myself the condition in which the Rohingya refugees are living. Nothing could have prepared us for the enormity of this humanitarian emergency. We saw, for example, that refugees are making a living in makeshift, flimsy shelters, built only of bamboo and tarpaulins, which are precarious positioned on land or carved into sandy, deforested hillsides, and are easily swept away when the monsoon season arrives. Let us be clear: the conditions were already dangerous before the monsoon season began. Now there is—dare I say it?—the perfect storm for a catastrophe. The heads of NGOs I had a chance to speak to were deeply fearful and could not emphasise strongly enough that our inaction would result in needless destruction, disease and death.

As our Committee’s report outlined last month, more funding and resources must be made available immediately to save lives and improve living conditions during the monsoon season. I therefore join others in welcoming yesterday’s news that the UK has pledged an additional £70 million of humanitarian support for the crisis. Alongside providing more funding, the UK Government must urgently step up their efforts with other donor nations and international agencies, and encourage and work with the Bangladeshi Government. There is an immediate need for NGO staff to be allowed into the camps. Without technical expertise and the ability to deliver basic programmes, almost half a million people will continue to be unable to access essential services. Although I acknowledge Bangladesh’s generosity in taking in the Rohingya refugees, the UK Government must put more pressure on it to allow aid agencies to operate more freely.

There is no time left. This has been neglected until the eleventh hour, and there is nowhere to turn and no other options. We cannot hide from this deadly issue, so it falls on us to do all we can to help. Urgent action is needed now so that we, as elected Members of Parliament, are not forced to stand up in this House in the months to come and admit we could have done more for the Rohingya and the Bangladeshi communities that host them. On a humanitarian and human rights front, the UK Government should be operating on the principle that everything that can be done should be done. I look forward to hearing how the £70 million will be spent, for what purpose it will be used and, most importantly, how soon it will be made available.
2.3 pm

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Ms McDonagh. I congratulate my hon. Friend the Member for Cardiff Central (Jo Stevens) on securing this important debate. Her testimony about her recent visit to Cox’s Bazar was deeply harrowing and real. Other hon. Members also made excellent contributions. We have heard from the hon. Member for Strangford (Jim Shannon), my hon. Friends the Members for Brighton, Kemptown (Lloyd Russell-Moyle) and for Birmingham, Northfield (Richard Burden), and the hon. Members for Kettering (Mr Hollobone) and for St Albans (Mrs Main), who raised concerns about the relocation of the Rohingya. The hon. Member for Dundee West (Chris Law) echoed the concerns raised by the Members who spoke before him.

The plight of the Rohingya people is clearly one of the greatest human tragedies of this century. Forced by violence to flee their homes, more than 1 million refugees have sought haven in Bangladesh—the majority in Cox’s Bazar. That speed of displacement has not been witnessed since the Rwandan refugee crisis in 1994. More than half a million Rohingya arrived in Bangladesh within a month.

Cox’s Bazar is one of the most flood-prone areas of Bangladesh and has an average of 2.5 metres of rainfall during June, July and August. To put that in perspective, in Britain, where we are far from blessed with glorious sunshine, we receive less than 1 metre of rain in the entire year. Time is clearly of the essence. The pre-monsoon rains already begun, and the situation is critical. On 26 April, a storm damaged shelters and affected several families in the camps. Last week a mudslide was reported in camp 4 in Cox’s Bazar, and there were reports of at least one fatality. The scale of the potential humanitarian disaster is truly horrifying, and more than 100,000 people, more than half of whom are children, are at risk of being directly affected by landslides and floods. That is only a conservative estimate, because that figure could double, should the rains be particularly heavy.

It is not just that there is a direct threat to life from the rains and mudslides. We have heard today that sanitation conditions are expected to deteriorate significantly, leading to reduced access to safe drinking water. As of December, water samples collected from households showed that 81% were already contaminated with E. coli, and the situation will only get worse in the coming months. It is likely that there will be increases in water-borne diseases such as diarrhoea and hepatitis and in diphtheria, malaria and dengue fever. According to the International Rescue Committee, 36% of people are already living without access to clean, safe water—a figure compounded by the fact that 46% of the functioning water pumps in the area are at risk from flooding or landslides. Can the Minister confirm whether the UK emergency medical team is in position to respond, much as it did between late December and early February, to an upsurge in disease in the camps?

The window of opportunity for moving refugees to more secure locations is rapidly closing. As of 23 April only 12,400 refugees had been relocated to safer sites. I recognise that the United Kingdom is playing a leading role in the humanitarian response, and I welcome its overall humanitarian work—especially the announcement yesterday of an additional £70 million towards preparing for the monsoon. Will the Minister provide assurances that that leading role includes encouraging others to increase their contributions to the effort, and will he outline what steps are being taken to achieve that?

I welcome the Department for International Development’s direct humanitarian work, but it is clear that the issues of humanitarian access, safe, voluntary, dignified returns, and dealing with the long-term persecution faced by the Rohingya in Myanmar can be addressed only with a political solution. For that purpose I urge the Government to keep their eye on the ball and to step up the political will and the focus that they are devoting to finding such solutions.

Mrs Main: Does the hon. Lady share my concern at the lack—particularly when the memorandum of understanding between Bangladesh and Burma was being agreed—of a voice for the Rohingya at the table? There is no identified leader and no person who can speak out for what the community would like to happen in the negotiations.

Preet Kaur Gill: I absolutely agree, and I will come on to that point.

The Government of Bangladesh have rightly been praised for their initial response, but as we move into a dangerous new phase of the crisis it is imperative to address operational barriers that hinder the work of aid agencies. International donors have granted $14 million of funding, which cannot be utilised at present because of restrictions on which organisations can deliver aid programmes in Cox’s Bazar. That has led to the utterly perverse situation of badly needed aid money being returned to donors.

In response to a written question that I tabled on 13 April, the Minister recognised: “International non-governmental organisations face ongoing challenges with securing and renewing visas and permits”.

He stated: “UK Ministers and officials continue to liaise with their Government of Bangladesh counterparts on this issue.”

With that in mind, will the Minister provide an update on discussions between the UK and Bangladesh Governments on the process of issuing FD-7 visas so that international aid organisations can implement humanitarian projects, and will he confirm that the UK Government are pressing for the duration of the authorisation to be increased?

Owing to further administrative procedures, up to 90% of aid staff currently have to use short-term tourist or business visas to enter the country. Will the Minister assure me that his Department is doing all it can to ensure that the Government of Bangladesh agree FD-6 agreements with agencies, so that their staff are able to apply for the appropriate visas necessary to plan and implement their work?

Secondly, at the recent Commonwealth Heads of Government meeting, a roundtable on the Rohingya crisis was co-hosted by the UK and Canada, with the Foreign Ministers of Australia, New Zealand and Bangladesh in attendance. That meeting represented a chance to discuss the crisis at the top level of Government. Will the Minister say whether preparations for the monsoon season were specifically discussed at that meeting?
Thirdly, although the immediate priority must of course be the impending monsoon, the only permanent solution to the crisis is for the security situation in Rakhine state to be such that the Rohingya are able to return safely and voluntarily to their home. Although in January an agreement was reached between the Governments of Bangladesh and Myanmar to repatriate 156,000 Rohingya over the next few years, in reality neither the security situation nor the stipulations placed on returning Rohingya, such as identity documents, are conducive to such a move.

I met the Myanmar ambassador to raise my concerns about the ongoing treatment of the Rohingya, but I do not believe that blaming the failure of Rohingya repatriations on administrative errors by the Bangladeshi authorities indicates a serious desire on the part of the Myanmar Government to solve this crisis. The UK Government must maintain pressure on the Myanmar authorities to engage seriously with the issues faced by the Rohingya, not least those of security and citizenship. What are the Government doing to ensure that the Myanmar Government and General Min Aung Hlaing are properly brought to account for the atrocities they have committed? Does the Minister agree that the Myanmar Government cannot be trusted to protect the Rohingya until they truly feel the heat of international pressure and accountability for what has happened?

I welcome the UK continuing to fund humanitarian work in Cox’s Bazar as monsoon season approaches, but I hope that that terrible threat will act as a spur to renew the UK’s political will and to solve some of the longer term political problems. Only then will we finally see an end to the suffering of the Rohingya people.

2.11 pm

The Minister for the Middle East (Alistair Burt): It is a pleasure to serve under your chairmanship, Ms McDonagh. I thank the hon. Member for Cardiff Central (Jo Stevens) for securing this debate and all colleagues for taking part.

I will begin with some general remarks, and then turn to the substance of the debate. As we know, this is an immensely complex issue, but the moment that people moved in August last year, it was perfectly obvious that the monsoon season would come round again. Colleagues can therefore be reassured that preparation for this event has been long in the planning, although there is only so much that can be done on the piece of land that colleagues have, in many cases, seen and described accurately. With such flimsy conditions underneath, only so much can be done to prepare and strengthen shelters. At the same time, handling the crises of people coming in company with others. There is no point in aid being available if it cannot be distributed, but the Bangladeshi Government have issues with who comes in and why. These are big camps, and there is a lot of scope for things to go wrong. They must have the responsibility themselves, but easing administrative difficulties is a key part of what supportive Governments do on behalf of the various agencies.

Chris Law: We are in the second week of May and the monsoon starts in a month. I accept the Minister’s point that we have known that the monsoon was coming since August last year, but just eight weeks ago when colleagues and I spoke to the International Development Committee were there on the ground we heard from NGOs that nothing is getting done—or that what is getting done is far too late. Given that we had all that information and we know that there are monsoons in the region year on year, why are we only now at this critical stage putting funding towards monsoon relief, and with little or no plan for what we will spend it on?

Alistair Burt: That takes me comfortably to the second part of what I want to say. Let me answer that, because it is a perfectly fair challenge. I pay tribute to the Government of Bangladesh and the communities in Cox’s Bazar for the extraordinary generosity they have shown in welcoming hundreds of thousands of Rohingya fleeing despicable persecution in Burma—persecution that amounts at the very least to ethnic cleansing, and possibly more. More than 680,000 have fled since the latest violence in August 2017, and they join about 300,000 fleeing waves of violence in previous years, bringing the total Rohingya population in Bangladesh to almost 1 million.

One camp alone in the Kutupalong area of Cox’s Bazar, which my hon. Friend the Member for St Albans (Mrs Main) referred to, contains almost 600,000 people, giving it the dubious distinction of being the world’s largest refugee camp. Conditions in such camps are almost unimaginably hard, as colleagues who have visited have made clear. As my right hon. Friend the International Development Secretary saw when she visited Bangladesh last November, many are makeshift, built piecemeal and without proper planning or foundations. Those fragile structures are extremely vulnerable to the heavy rains of the current monsoon season, which could soon be compounded by high winds and storm surges if a cyclone hits the area. The Bangladeshi Government have an excellent track record in saving lives in extreme weather events, and we call on them to use their expertise to help support those currently at risk.
As far as preparedness is concerned, UN agencies, the Red Cross and NGOs, with support from the UK, are working tirelessly on measures to improve conditions in the camps and prepare for extreme weather. The UK has led the way in terms of the scale and speed of our response to the crisis, pledging £59 million in humanitarian response. As colleagues mentioned—I am grateful to them for welcoming this—my right hon. Friend the International Development Secretary announced yesterday a further £70 million of UK support for the crisis, which will help to protect vulnerable people during this volatile rainy season, improving structures and infrastructure such as roads and latrines, and help to clear newly allocated land. It will also provide urgently needed humanitarian support such as food, medicines, shelter and psycho-social support to many hundreds of thousands of Rohingya and the communities so generously hosting them.

Let me spell out a few more details. That support is expected to try to help 200,000 people with much-needed materials to strengthen their shelters and 300,000 people with food assistance and clean water. The aim is also to provide emergency nutrition for 30,000 pregnant and breastfeeding women, plus 120,000 children younger than five. Another aim is to get access to midwifery care for 50,000 women, including many who may give birth during the rainy season, and to provide access to bathing cubicles for nearly 53,000 women and girls. It is hoped that another 50,000 people will be helped in getting access to healthcare services.

Jeremy Lefroy (Stafford) (Con): I thank the hon. Member for Cardiff Central (Jo Stevens) for bringing forward the debate. I have written to the Minister about the potential for a serious malaria epidemic in the area. As he well knows, there is the issue of drug-resistant malaria coming up from Burma, which may impact on the area. What preparation is being made to prevent a devastating outbreak, which could transmit drug-resistant malaria further afield through Bangladesh and into India and beyond?

Alistair Burt: On receipt of my hon. Friend’s letter, I took advice from the agencies on the ground about their concerns. Their concerns were not quite as acute as his information, but they were aware of the risk and were taking precautions against them.

The hon. Member for Birmingham, Edgbaston (Preet Kaur Gill) mentioned the emergency medical team. It is not permanently out there but it is always on stand-by, I am conscious of what my hon. Friend the Member for Stafford (Jeremy Lefroy) said about malaria—we keep an anxious check on that.

Mrs Main: Unfortunately, many people die in the camps. Funeral arrangements in the camps are very difficult. Families who I spoke to said that burying the dead and having decent funerary rites was a real issue. Will the Minister say whether there is any progress on that?

Alistair Burt: I try always to be honest with the House when I do not know something. I do not have any information on that. My hon. Friend knows full well that the quality of the ground makes washing, digging foundations and shelter difficult enough. Latrines are far too close to services, so burying people must be even more dreadful than it would ordinarily be. I will find out the answer to her question and supply information.

UK aid already ensures that more than 250,000 people will continue to have access to safe drinking water during the rainy season. The latrines issue is vital: more than 7,000 latrines have been constructed and strategically placed throughout the camps, and more than 6,700 new latrines will be decommissioned or re-sited. There is an understanding of the importance of that. UK-supported cholera, measles and diphtheria vaccination campaigns have been carried out in readiness. They will provide protection against some of the most common diseases in the camps, which are expected to be more widespread during the rainy season. Preparation for that is being done. More than 391,000 children under the age of seven have been vaccinated to date. Healthcare workers are being trained to prevent, identify and treat common illnesses expected during the rainy season and to manage higher case loads.

Some 450,000 people have benefited from support to make their shelters more resilient to rain and heavy winds. Site improvements such as drainage, protecting pathways and stabilising steps and bridges to enable access are already being undertaken. Everyone with knowledge of the camp knows that there is limit to what can be done, not only with the flimsy shelters but the foundations on which they are built. We are advised that the best protection possible is trying to be devised and put in place.

We are funding efforts to relocate or accommodate up to 30,000 of the most vulnerable refugees. We welcome the fact that the Government of Bangladesh have made an additional 800 acres of land available close to the existing camps, and we are supporting the work of the UN to make this land suitable for the safe relocation of refugees.

My hon. Friend the Member for St Albans mentioned Bhashan Char island. I will be happy to go and see that when I get the opportunity. She made clear that we have had our own reservations about that particular piece of land. We have made clear to the Government of Bangladesh that any relocation of refugees must be safe, voluntary, dignified, and in accordance with international humanitarian standards, principles and laws. We have shared with the Government of Bangladesh our concerns that the island may not provide safe accommodation for Rohingya refugees. We have requested that the UN be given the opportunity to conduct a technical assessment of plans for the island. We have had no involvement in developing plans for the proposed relocation—we are very conscious of the pressures on land in the whole area, but that is the role that we intend to take in relation to Bhashan Char island. The sheer scale and availability of alternative lands makes things so much more difficult.

The hon. Member for Cardiff Central spoke of sexual violence and pregnancy. Accountability for crime is very important, and the assessment of what happened to people is vital, but supporting them now is equally important. We believe we have led the way in supporting a range of organisations, providing specialised help to survivors of sexual violence in Bangladesh. That includes 30 child-friendly spaces to support children with protective services and psycho-social and psychological support.
and 19 women’s centres that will offer a safe space and activities to women. Case management is being provided for just over 2,000 survivors of sexual and gender-based violence. Thirteen sexual and reproductive health clinics will provide access to sexual and reproductive health services, including antenatal care. More than 53,500 women will be provided with midwifery care. Medical services counselling and psychological support will be provided to Rohingya refugees who have either witnessed or are survivors of sexual violence. With DFID support, UNFPA and partners have developed guidelines on how to support women and girls who have been raped and are pregnant, which includes the training of caseworkers and those who will support them through pregnancy and beyond.

This is a desperately serious issue and Members are right that the births that will take place in the next few months will be among the most difficult that could be witnessed, but we have done all that we can, alongside various other agencies, to try to prepare for these circumstances.

Jo Stevens: I welcome all of that. It is very welcome, but it is small in comparison with the size of the problem. The Minister has not addressed the question of Burma’s impunity for those crimes and for the murder and torture of other Rohingya. I hope he will address that point and tell us what the Government are doing to seek a referral.

Alistair Burt: Let me turn to the issue of Burma—the hon. Lady was right to anticipate this point. We do not and should not forget that it was the actions of the Burmese military that drove Rohingya from their homes, leading to the current extremely precarious situation in which they find themselves. Although it is of course vital and right that we provide immediate, life-saving humanitarian support to Rohingya in Bangladesh, we continue to call upon the Burmese authorities to create the conditions for them to be able to return home safely, voluntarily and with dignity, under a process overseen by the UN. In particular, Burma should fully implement the recommendations of the Rakhine Advisory Commission, beginning with full, unfettered access for agencies to northern Rakhine.

The hon. Member for Cardiff Central and the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) mentioned the referral and access to justice. Other countries know the UK’s commitment to justice. It was the UK that secured a UN presidential statement in November calling for accountability for what happened in Rakhine. The UK was instrumental in getting a recent UN Security Council visit and the Security Council is now considering Burma’s statement made during last week’s visit that it was ready to conduct an investigation. We will press for that first. We also await with interest the decision of the International Criminal Court as to whether it has jurisdiction regarding forced deportation into Bangladesh, which it has just announced it is examining. Calling on the Security Council to refer Burma to the ICC will remain an option.

The UK has sought to lead the way in a variety of different ways—in responding with aid; in using the UN to call for the presidential statement and getting other states involved; in securing sanctions against named individuals who have been responsible; and in continuing the work and efforts in preparation for the monsoon season. As I said at the beginning, this is a very complex issue and we will discuss it again, but the United Kingdom, with other agencies, is doing as much as it can to do what we can. We will not desist from that and recognise that there will be much more to do in the future.
Westminster Hall

Wednesday 9 May 2018

[ANDREW ROSINDELL in the Chair]

Economies of the UK Islands

9.30 am

Alan Mak (Havant) (Con): I beg to move,

That this House has considered the economies of the UK islands.

It is a pleasure to serve under your chairmanship, Mr Rosindell. I thank the Speaker’s Office for granting me the opportunity to discuss the economies of the UK islands.

The economies of the UK islands are unique and diverse, each with its own character and a strong sense of community. They are an integral part of the British economy and contribute to the country’s overall prosperity.

While owners and employers are always eager to help Hayling businesses and others have their own character, they also give the island its distinctive nature. The island’s remarkably low crime rate makes it a safe place for business to start and grow. The coastal and semi-rural nature of the island lends itself to the establishment of new businesses set up by local entrepreneurs such as John Geden, who established Sinah Common Honey. Each jar of honey is said to be from a beekeeper from more than 1 million flowers.

Hayling has a strong visitor economy. The island’s unique geography is a source of economic strength and community spirit, the island and others around the UK also face unique challenges. There is a consistent need on Hayling Island and other islands across the UK to work harder to create sustainable and attractive employment opportunities for our residents, especially younger residents and school leavers.

Although Hayling’s unique geography is a source of economic strength and community spirit, the island and others around the UK also face unique challenges. There is a consistent need on Hayling Island and other islands across the UK to work harder to create sustainable and attractive employment opportunities for our residents, especially younger residents and school leavers. Any dip in opportunities for younger generations carries with it potentially destabilising knock-on effects for our wider economy. A brain drain, even a temporary one, can mean that our local businesses struggle to hire workers.

The 2011 census indicated that there were 4,060 people living on Hayling Island who worked elsewhere, out of a working population of 9,934. Just under half our working residents commute off the island via a single road bridge most days of the week.

It is absolutely crucial that we equip all our islanders, especially our young people, with the skills to succeed in the economy of today and that of the future. I therefore welcome the fact that four of Hayling’s schools, Mill Rythe Infant School, Mill Rythe Junior School, Mill Rythe Middle School and Hayling College are rated as good by Ofsted, with Mill Rythe Junior School rated as outstanding. As with many coastal communities, however, we still have pockets of deprivation and underachievement that hold back our economic potential and productivity.

Although schools across the whole Havant constituency, including Hayling Island, receive higher than the national average in per-pupil funding, I believe that the Government’s new national funding formula can do more to help pupils who suffer from the most extreme forms of deprivation, particularly in coastal communities. I have met the Minister for School Standards and the new Secretary of State for Education on several occasions to lobby them on this issue. I hope the Exchequer Secretary shares my desire to ensure that every young islander gets the best start in life, so that they can contribute effectively to our economy in the future.

The other challenge our island economy faces is the over-exposure of our business community to changes in the island’s service infrastructure. We live in an age of digitisation, as I have emphasised in my other work in this House on the economic opportunities of the fourth industrial revolution. As online banking increases,
footfall in local banks will inevitably fall. This has led to the closure of Mengham’s NatWest and Barclays branches on Hayling, and I am sure other hon. Members face similar situations in their constituencies.

Although residents on the mainland can mitigate the closures by driving to a nearby branch that remains open, Hayling only had one branch of each main bank. In recent years, closures have forced many residents to travel to the mainland using the single road with increasing regularity. I am aware that this has been touched on and tackled elsewhere through the access to banking protocol, the Griggs review and the access to banking standard, and is ultimately a commercial decision beyond the Government’s control, but I want to raise it to emphasise the heightened sensitivity of the economies of the UK’s islands to changes in the economic infrastructure—they impact on us severely.

Public transport is key to a vibrant economy within an island as large as Hayling—transport between the island and the mainland, and in neighbouring areas, such as Portsmouth. Any diminution in service has a disproportionate impact on island communities for residents and visitors alike, especially on islands such as Hayling which are both coastal and semi-rural. The Hayling ferry, for example, is a valued community resource that also helps the island economically. The ferry’s owners and operators are putting together a business plan to make it commercially viable in the long term, working with local councillors—something I support. I hope that my hon. Friend the Minister will join me in wishing them every success as they seek to secure a long-term solution to ensure that we have a positive local impact from the ferry. Road infrastructure is equally vital. High-quality road networks are important, particularly as new housing is proposed on Hayling Island to meet local demands. Digital, structural and economic services are vital to the economic wellbeing of our island.

We live in a world of unparalleled opportunity thanks to technological innovation and a host of businesses are now footloose thanks to the advent of the internet and online shopping. On Hayling Island, 96.9% of premises have access to superfast broadband, set against a UK average of 93.5%. We are fortunate to be close to the mainland with a strong digital infrastructure, but I know that many islands are not so fortunate. With services such as banking increasingly moving online, fast download speeds are essential. That should be an area in which the Government can support island communities.

I commend the Government’s efforts to date to support island communities. In 2011, the Government established the coastal communities fund and since then, four funding rounds have been completed, awarding a combined total of £173 million. Only 9% of that funding, however, has been awarded to projects based on islands, and 70% of that has been allocated to islands in Scotland. I do not begrudge any of the funds that have gone to those recipients. Instead, I seek to highlight our collective and continued need for sustained development and support for the UK’s islands, including Hayling Island.

In March 2015, the then Department for Communities and Local Government established coastal community teams in order to encourage, “sustainable economic development and regeneration in coastal towns.” Each of the 146 coastal community teams that have been established were awarded £10,000, yet only three were exclusively based on islands. I am delighted that one, the South Hayling Island coastal community team, was based on Hayling Island.

Although the coastal communities fund was established with the aim of providing funding to create sustainable economic growth and jobs, it has become largely project-focused rather than addressing the structural, systemic and strategic challenges faced by UK islands. Consequently, I hope the Minister and the Government will consider expanding or complementing the coastal communities fund so that it can provide stronger strategic and structural support to the economies of UK islands. The reformed fund would be exclusively available to island communities, such as Hayling Island, to apply for.

Mr Bob Seely (Isle of Wight) (Con): I thank my hon. Friend for securing the debate. I strongly support the proposal, and I am glad that he is raising it with the Minister, because one of the problems is that islands are sometimes too small for the Treasury to be interested in as economic enterprise zones, which we need on the Isle of Wight and in the Medina valley specifically. With an enlarged coastal communities fund, perhaps one that looked specifically at driving economic regeneration, relatively small sums of money could make a great deal of difference and would go down very well.

Alan Mak: I thank my hon. Friend for that sound intervention and again for his role in securing the debate. I entirely agree with his points. As I was saying, a reformed coastal communities fund would be incredibly important to coastal communities such as Hayling Island and his constituency. It would be exclusively available to island communities to apply for to help them to meet the specific and unique challenges they face as a result of their specific and unique geography. As I mentioned in my opening remarks, those challenges include an oversensitivity to changes in local infrastructure, expensive or sometimes congested transport connections to the mainland, a skills gap and a need to support local, independent businesses, all of which could hamper economic growth if not addressed.

In conclusion, we are all islanders. Britain and its satellite islands are a beacon to the world of how innovative, welcoming and economically successful islands can be. After all, the UK is one of the largest and most prosperous economies in the world, and we should be proud of that. In doing this, we can ensure that islanders across the UK enjoy the bright economic future they deserve, and that they not only are fit for the future, but get to the future first.

9.42 am

Mr Alistair Carmichael (Orkney and Shetland) (LD): It is a pleasure to serve under your chairmanship, Mr. Rosindell. I, too, congratulate the hon. Member for Havant (Alan Mak) on securing the debate. It is a rare and welcome opportunity to discuss island issues. The hon. Gentleman said that we are all islanders. I am doubly blessed in that regard, because I am an islander.
by birth—I was born and brought up on Islay, off the west coast—and I am an islander by choice, having raised my family with my wife in Orkney. I have represented Orkney and Shetland here since 2001.

It is worth reflecting on what it means to be an islander and to live in an island community. Island communities are special places. Being an islander changes the way people see the world. One of my great bugbears is hearing people talk about insularity, meaning that islanders are somehow inward-looking. In fact, islanders are much more outward-looking, because they are dependent on their links with the rest of the world in a way that people in the larger conurbations on the mainland take for granted. To be an islander is not to be insular, however much that might offend the classicists, but to lead a different sort of life in a modern and connected world.

We are often excluded. Hon. Members have heard me speak before on the subject of all too often being excluded from or charged extra for deliveries that people in towns and cities take for granted. However, I do not want this speech to be a constant litany of the problems that island communities face. If nothing else, I hope the Minister takes away from the debate an understanding that our island communities have challenges, as every community in the country does, but we offer opportunities for the Government as well. Island communities can contribute in a whole range of ways to the work of Government, be it in Westminster, Holyrood or wherever else.

Many of the issues that we face as island communities are shared in common with communities across the whole country. Brexit is, probably the dominant issue that I hear about when I speak to businesses in my communities. Orkney is a predominantly agricultural community and Shetland is a predominantly fishing-based community, where fishing still makes up about one third of the local economy. The shape of our future relationship with Europe—particularly in relation to the fishing industry and whether we will continue to have a relationship with Brussels and a common policy on fisheries, and the shape of future agricultural support, which is guaranteed only to 2022—is a big issue for our economy.

That highlights one of the biggest problems. As can be seen from the number of hon. Members present, there are not that many island communities in this country and we do not have that high a level of population, so we often fall off the end of the table because we need a slightly different provision and our island needs are not always understood. We are the most vulnerable to the law of unintended consequences.

Post-Brexit, as we move to reformed agricultural and fisheries policies, there are real opportunities to design them in a way that will work for farmers and fisherman across the whole country, and to build into them the flexibility that we have been denied over the years, which has been enormously detrimental to our fleet and the fishing industry.

The economic profile of most island communities is not dissimilar from that of Orkney and Shetland. We have an economy of predominantly locally grown small and medium-sized enterprises. For islands, as for all small communities, that is a good thing with real opportunities. It allows us to keep a lot of the money that we raise and spend within the island community.

The modern economy in our island communities, however, is a lot more than the farmers and fishermen that hon. Members might instinctively think of. In my constituency, I have several growing and successful software engineering companies. They offer well-paid and attractive employment opportunities to younger people who may have been away for higher education and want to return.

There is a role for Government, not just in terms of the economic development and growth of those companies, but in terms of the provision of infrastructure. One of the main hindrances to the economy in my constituency is the continuing poor level of broadband and mobile phone connectivity. The latter is slowly improving, but as the rest of the country looks towards 5G, most of my constituents can still only dream of 3G or 4G.

A different approach from the Government to rolling out that sort of infrastructure could be transformational for us. If we said to the big corporates such as BT, “Of course you can get a licence to roll out the next generation in Glasgow, Edinburgh, Manchester, London, Birmingham or wherever else, but you have to start at the periphery and work your way in,” that would mean that, instead of constantly playing catch-up and always following on, as a community with the opportunity to benefit most from that sort of innovation, we could be at the cutting edge.

In recent years, one of the most important parts of our local economy, on both Orkney and Shetland, has been the growth of tourism. We have gone from the days when bed and breakfast was provided by a few farmers’ wives to supplement their farming income to a position now where tourism is a significant part of our local economy. Obviously, it is part of an economy that is enormously vulnerable to outside influences, for example currency fluctuations. Also, terrorism and the attractiveness of our country as a whole will have a very long tail by the time that they reach Orkney and Shetland.

Tourism is also an industry that has big seasonal variations. People work long hours during the summer months but will perhaps just keep their businesses ticking over in the winter. Now, if somebody is in receipt of tax credits, for example, such big fluctuations of income throughout the financial year can be occasionally enormously problematic. Again, that is another example of the way in which the decisions made at the centre, which might work very well for 95% of people, can cause real difficulties in the way that they affect the remainder. When we hear about something benefiting the 95%, those of us who are islanders know that we will inevitably be largely among the remaining 5%.

The biggest opportunity for islands to contribute to our future wealth and prosperity in this country comes from the development of renewable energy. The first generation of wind turbines was tested in a prototype on Burgar Hill in Evie, in Orkney. Ever since then, those of us within the isles have been enthusiastic in our promotion of the next generation of electricity and energy development.

The development of wave and tidal power brings another opportunity. It is still very much in its infancy, but again it would require just a little bit of tweaking to make the regulation and the development funding work. Development money for wave and tidal power sits in a pot for developing new technologies, alongside offshore wind. It is pretty well accepted that offshore wind is no longer a developing technology but is now a fairly mature
technology. However, as a consequence of that development and the way in which the price of offshore wind has fallen, the full funding for developing technologies is then scooped up by offshore wind and the money that should be there to help wave and tidal power to develop is simply taken by offshore wind.

I do not begrudge offshore wind a penny of that money, but some dedicated pot of development funding for wave and tidal power would be of transformative benefit to the industry, and it would certainly be of enormous economic benefit to the island communities that I represent. Predominantly, though, it would allow us to contribute to the rest of the country.

We are not looking for any special favours or special treatment. We are not even looking for extra money from the coastal communities fund, although people should remember that that money came from the Crown Estate’s marine estate, and so we have contributed plenty to that fund over the years, through our fish farms, marinas and piers. We just want the opportunity to be allowed to contribute to the rest of the country to the fullest extent that we possibly can, and in that way we can all understand that through good times and bad we will share the risks and the opportunities.

9.54 am

Mr Bob Seely (Isle of Wight) (Con): Thank you for calling me, Mr Rosindell; it is a pleasure to serve under your chairmanship.

I also thank my hon. Friend the Member for Havant (Alan Mak) for securing this debate and for being part of the all-party parliamentary group for UK islands. His presence here is very welcome and he spoke very eloquently about the needs of Hayling Island; once upon a time, when I was very young, I visited it and I remember how lovely it was. I also thank the right hon. Member for Orkney and Shetland (Mr Carmichael) for his contribution: it is always good to hear of the experiences of other islands.

As we know, this is not a debate about places such as the Channel Islands and the Isle of Man, which are Crown dependencies. This debate is about islands that are fully within the governance of the United Kingdom, but clearly they have physical characteristics that make them islands and give them distinct traits. Indeed, our islands are unique and special places, and to represent my island is a passion and a privilege, which I am incredibly grateful for. I love being here, but I would not want to represent anywhere other than the Isle of Wight.

Islands are, by definition, at the fringes of our nation, but they also help to define us, and they have a special place in our geography and culture. However, my argument to the Minister who is here today—I am very grateful for his presence—is that islands do not always get their fair share, because they are overlooked. In the case of my island and my constituency—the Isle of Wight—that is especially true.

By way of example, the Scottish islands get the Scottish islands needs allowance, or SINA, which comes from the Scottish Government. So they get the Barnett formula money, which is generous, and on top of that they get the SINA. If I remember correctly and have my facts right—I am sure the right hon. Member for Orkney and Shetland will correct me if I am wrong—the Western Isles, Orkney and Shetland get an extra £6 million a year through SINA, in acknowledgment of the fact that supplying Government services on islands tends to cost more than it does on the mainland. The Isle of Wight gets none of that money, despite the fact that we have a population four times bigger than that of the Western Isles, for example, and two, three or four times bigger than that of Orkney, Shetland and other islands.

So we do not get our fair share, and when it comes to “fair” funding we are unfairly funded. The central reason for that is simple: it is the Solent. Government funding systems are not designed to deal with isolation by water. The rural isolation grant and the rural farming grants are all predicated on a sense of isolation, but isolation on land and not isolation by water. One of the arguments that I am trying to make, and I have already made it to the Minister’s colleagues in other Departments, is that a fair funding formula needs to take into account isolation by water.

I have gone straight into the meat of my speech; I will now go backwards a little bit. We are very much open for business on the Isle of Wight; we are trying to attract new businesses to the island; and our regeneration team and our council have a very ambitious programme, which I absolutely support, and I will work hand in glove with them.

In fact, we have a unique scientific heritage. Marconi set up the first experimental wireless station off the south coast of the island, on St Catherine’s Down, which, by the way, is one of the sunniest places in Britain; seaplanes were built by Saunders-Roe in East Cowes; and we have major employers and a cluster of defence, composite and high-tech industries, including companies such as Gurit, BAE Systems, GKN, which is now part of Melrose, and Vestas. Indeed, a high percentage of the world’s large offshore turbine blades are made on the Isle of Wight at the Vestas factory. Vestas is doing great work on the island, and I thank it, as I do all employers, for its presence. So we are very much home to high-tech businesses that are at the cutting edge of their industries.

As I have said, however, there is a problem with providing Government services on the island. A University of Portsmouth 2015 study said that the extra costs of providing Government services on the Isle of Wight were £6.4 million a year, because of the costs of being an island. The university broke that figure down into three: first, the cost of self-sufficiency, because of the lack of spill-over of public goods provision; second, what it called an “island premium”, which is the additional cost of conducting business on and with islands, which the right hon. Member for Orkney and Shetland will know about; and thirdly, the sense of dislocation, which is the physical and perceived separation from the mainland and which could come from providing services to a smaller population and a smaller market.

I will give an example. At care homes, there was a clear mistake that we are rectifying. Elderly folks were put into care homes earlier than on the mainland, yet our care homes were costing more than the mainland because of the lack of competition between them. To some extent, another issue was their high quality. The cost was pushing additional burden on to our adult social care costs, which skewed our funding so that we could not spend the money on infrastructure to provide...
jobs and on a jobs agenda. That is absolutely vital in keeping our youngsters on the Island, which helps make us the vibrant and successful community that we are, and which we are building on as well.

In those three different ways—full self-sufficiency, the island premium and dislocation—there is an extra cost for Government services on the Isle of Wight. That has been estimated, in an academically rigid, peer-reviewed article, to be £6.4 million a year, and that does not include other factors that I would like to bring to the attention of the Minister. One of those is the Green Book estimate. Green Book estimates are the terms and references for Government investment, and they do not work for the Island because we are physically isolated. We cannot do the things that work for Southampton, Portsmouth or, indeed, for Havant, because we are physically separated. The Green Book estimates process counts against the Isle of Wight in providing infrastructure.

I have mentioned separation by water in terms of the rural isolation grant. For farming grants, things are prejudiced against us because we are in the wealthy south-east. In many ways, we get all the downside of being part of the wealthy south-east—we do not get that extra support as we are seen to be in the wealthiest area of the country—when in many ways our economy is similar to that of west Devon or Cornwall. There is some tourism, some culture, farming and little clusters of high-tech industry. Whereas lovely places such as Cornwall get money thrown at them through EU grants and Government support, we have had very little of that.

The amount of money we would ask for from central Government to make the Island even more of a success is really very small. I would love to sit down and have that conversation with the Minister in greater detail. The answer is not devolution, because the housing system sadly does not work for us, and we will be arguing why we are an exception. We want a modest, tailored package of support that recognises that we are an island. That £6 million extra in fair funding would be of benefit for the council, and would recognise that because we are an island, we need an A&E and a maternity unit, because someone cannot give birth on a helicopter going to the mainland, and the ambulance cannot wait for four hours to get the ferry overnight. Our funding in health services and many other things is skewed by the fact that we are an island, and that is not recognised.

We have many little clusters of excellence. Our tourism economy is significantly improving. We will very soon have one of the best broadband services in the world. Thanks to our wonderful local company, WightFibre, and the Department for Digital, Culture, Media and Sport—I thank them very much indeed—we are getting significant sums of money so that we will get ultra-superfast broadband for five out of six houses on the Island. If someone has a broadband business, the place they want to be is not London, Old Street, Moorgate or Brighton, but Cowes or Newport, where they will get broadband speeds comparable with Singapore. What I need to do, working with colleagues in the council, is determine how we get the other one sixth of houses in the more rural and very rural areas linked up to that as well, so that people can have Singapore broadband speeds in their little farmhouse in Newtown Creek, Brighstone, Chale or wherever.

Most importantly, education is critical to our future. It is improving and is becoming a success story. We probably need to work on restructuring our sixth forms, but most importantly, I would like to have a conversation with the Treasury and the relevant Ministers about getting significantly more higher education to the Isle of Wight, specifically a university campus. I would like that to be in Newport as part of our critical Newport harbour redevelopment. It may be that it goes elsewhere. Higher education would clearly lead to much higher levels of higher education, but it would also drive our software businesses, which the right hon. Member for Orkney and Shetland spoke about, and other key investments.

We have also won special status from the Arts Council, and we are building a much stronger cultural offer for tourism, education, aspiration and, critically, regeneration. It is important for the Minister to be aware of that. I would love to have a conversation with him about our farming and small businesses. I am having a conversation with the Minister for Agriculture, Fisheries and Food, my hon. Friend the Member for Camborne and Redruth (George Eustice), about mobile slaughtermen. Once we leave the European Union, we will be too small to have an abattoir, yet our field structure on the Island is perfectly suited to animal husbandry, and we are very keen to support local food production, which is good for multiple reasons, over and above employment.

Mr Carmichael: I understand exactly what the hon. Gentleman says when he talks about the Island being too small to have an abattoir—we have the same issue in the Northern Isles—but I suggest that is not actually the case. The Isle of Wight is surely too small to have an abattoir only in the way we regulate and manage abattoirs currently. A more sensitive system of regulation would surely allow a good business there.

Mr Seely: The right hon. Gentleman makes a very good point, and I am happy to take that correction. Post-Brexit, we need to change the rules for farming so that we have smaller abattoirs or mobile slaughtermen who can kill animals humanely on the farm to allow them to go into the human food chain in a way that does not exist at the moment.

Finally, I would like to have a conversation with the relevant Minister in due course about BAE and the need to have a complex radar technology demonstrator in Cowes. If we wish to keep radar technology in this country for the next 50 years—there is a critical national interest in doing so—the only realistic place to have it is where the aircraft carriers, the Type 45 and all the Royal Navy warships are made, which is in West Cowes at the BAE plant. I want to bring together BAE and Government to have that conversation. We are talking about small sums of money—£5 million, £10 million or £15 million—to secure a complex radar technology demonstrator, so that we can keep those high-tech jobs and that high-tech knowledge on the Island. I will wind-up now, Mr Rosindell. I apologise; I have taken a touch too long.

The Island is a success story, but I do not believe the Government have engaged with us enough over the past 10 to 20 years to maximise our success in building a new economy and an advanced education system, doing all the things we need to do regarding our infrastructure, such as our broadband and all the high-tech jobs,
and making the Island the economic success story that it is. I reinforce the point about the coastal communities fund and the importance of the Treasury spending a little time and effort to understand islands, their unique circumstances and the amounts of money—very small in the great scheme of things—that could help drive enterprise and economic progress. More than anything, I want my constituency, the wonderful Isle of Wight, to contribute economically, rather than being a place that gets handouts from central Government because we say we are poor and do not have this or that. With a bit of help from the Treasury and the Government, and greater integration and support, we can drive our success story further.

10.8 am

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Rosindell. I congratulate my hon. Friend the Member for Havant (Alan Mak) on securing this important debate on islands of the United Kingdom. Island economies are particularly important to Scotland, which boasts almost 800 islands around its coastline. In 2011, some 93 permanently inhabited islands were recorded, and between them they host almost 2% of the Scottish population. That gives Scotland by far the largest number of inhabited islands in the United Kingdom.

I had the privilege of being the senior fire officer in Argyll and Bute for some five years. I pay tribute to the islanders who provide the personnel for the volunteer units and retained fire stations that serve those communities. They are very much on their own; getting support to them can prove almost impossible. I commend the men and women who support their fire service. At the time I was there, the island populations varied from around 100-plus on Coll and Colonsay to more than 3,000 on the island of Islay, which was mentioned earlier. To complement the population, Islay has eight distilleries, which are a great employer. As somebody said, there are no bad whiskies; some are just better than others. A neighbouring island is Jura, where we also have a distillery that produces a lovely whisky that bears the name of the island.

Tourism, food and accommodation figure strongly in many island economies, along with traditional incomes from crofting, farming, fishing, and, in some cases, fish farming. The right hon. Member for Orkney and Shetland (Mr Carmichael) suggested there might be opportunities post-Brexit to adjust the system to assist the communities further. They really need that assistance. Oil and gas are players in a number of island economies mainly to the north of Scotland. Tiree, which is quite breezy, off the west coast of Scotland, is the most fantastic place in the United Kingdom for windsurfers.

In my time visiting the west coast islands, the provision of fire cover, education and medical services was a constant challenge just to secure the right people for the posts. The additional cost of providing those services is recognised and factored into the Barnett formula under the sparsity factor. May I commend the Scottish Government for the introduction of the road equivalent tariff, which, in conjunction with the ferry operator, Caledonian MacBrayne, has generated additional tourist traffic that in most cases—although perhaps not in all cases—must be welcomed?

Mr Carmichael: My constituents would not forgive me if I were to allow this opportunity to pass. I must point out that in the Northern Isles, despite a raft of promises over the years, we are still to see the reduced fares promised by the road equivalent tariff.

Bill Grant: I fully accept the right hon. Gentleman’s intervention. I hope that those endeavours will bear fruit and be recognised. I think that the NorthLink Ferries services do not attract the same support.

We also host the world’s last seagoing paddle steamer, the Waverley, based in Glasgow. She is a wonderful way to do what we say in Scotland is a trip “Doon the Watter” that takes people to various islands such as Arran and Cumbrae, which I am sure we will hear about later. It is a great opportunity to see the wonderful west coast. She also plies her trade off season down here in the Thames.

Mr Seely: She has also spent much of her time on the Isle of Wight, where she was very welcome.

Bill Grant: I thank my hon. Friend for bringing that to my attention. I am sorry for missing out the Isle of Wight. The Waverley is a wonderful asset to the nation and is the world’s last seagoing paddle steamer, supported by a charity and the nation.

Though uninhabited, Ailsa Craig is an island that sits off my constituency in the Firth of Clyde and plays host as a bird sanctuary to gulls, guillemots and puffins. Most importantly, it provides the granite for the best curling stones in the world, hand-crafted by Kays of Mauchline in Ayrshire. When we see curling on television, the curling stone almost certainly originated from the island of Ailsa Craig.

It is important to note in this debate that island communities in Scotland and across the United Kingdom are diverse. No two islands are the same, and although they often face a similar set of economic challenges, they each have their own unique circumstances: for example, population. Scotland has four islands with populations above the 10,000 mark, and those islands’ economies have different needs from the many Scottish islands with populations below 100. In the case of many of those smaller communities, probably the most pressing economic issue requires acting to prevent depopulation and working to secure the long-term future of those communities. Retaining young people on the islands to give them continued vibrancy is important.

The population of Scotland’s islands increased by about 4% between 2001 and 2011. That is a welcome development, which I hope will continue and even accelerate over the coming decades. In many cases it is very challenging to sustain island populations. Although Scotland’s four largest islands recorded an increase in that period, it is sad to note that communities of fewer than 50 inhabitants still experience, in general terms, the risk of a drop-off in population numbers. When we talk about the economies of the islands, therefore, we must be sure to include all the islands and not just the larger and identifiable ones such as the Isle of Wight.

Scotland’s small island communities are some of the most unique and beautiful places in the entire United Kingdom, and it is important that their future is secured as well as possible. Scottish islands of all sizes have great economic potential, and both the Scottish and
UK Governments need to work together to ensure that that potential is fulfilled. The right level of investment and support, as mentioned earlier, is needed across the islands but particularly in areas such as transport, fuel costs and maintaining the vital links that give islanders access to the basic services that people on the mainland simply take for granted.

Connectivity is vital for Scotland’s remote islands. For island communities as well as other rural and remote areas, broadband is necessary to ensure that the communities’ economies do not get left behind. I hope that the UK Government’s welcome intervention in the broadband roll-out in Scotland will deliver results sooner rather than later.

As was mentioned before, 4G and 5G connectivity are vital to local economies across the United Kingdom, and island communities are no different. If our islands keep pace in terms of mobile connectivity, they have a better chance of keeping pace economically, which is essential for a vibrant future for the islands. The Islands (Scotland) Bill, which is currently going through the Scottish Parliament, will be judged on the outcomes it produces, and I hope that islanders will not be disappointed. Our islands, of all sizes, can and should have a bright future ahead of them.

Finally, if anyone is minded to secure a tranquil, peaceful holiday, they would do well to visit a Scottish island.

10.16 am

Patricia Gibson (North Ayrshire and Arran) (SNP): I am very happy to speak in this debate today, and I sincerely thank the hon. Member for Havant (Alan Mak) for securing it. I also thank him for the celebratory tone with which he introduced the debate on our beautiful islands right across the United Kingdom and for recognising the unique challenges that our islands face, despite the many attractions that they offer both residents and visitors. Our islands are indeed beautiful but, as we have heard today, they can be quite fragile, too, and deserve special and separate consideration, so I am delighted to contribute today as I have the honour of representing the beautiful islands of Cumbrae and Arran.

Our islands not only face unique challenges, but share common challenges. I want to say a few words about the comments made so far. The hon. Member for Havant painted a beautiful picture of the island of Hayling, which he has made me think about visiting because he painted such an idyllic picture of it. We have also heard about the beautiful islands of Orkney and Shetland and the Isle of Wight. We had a round-up from the hon. Member for Ayr, Carrick and Cumnock (Bill Grant). I took a photograph surreptitiously as he paid tribute to the Scottish Government. Although the photograph will not have sound on it, it will be a moment captured in time as he went out of his way to pay tribute to the Scottish Government.

I represent the isle of Cumbrae, whose main population centre is the town of Millport. There are few people who grow up in the west of Scotland who do not have a childhood memory of cycling round Millport and this lovely island just off the seaside town of Largs, which I also have the privilege of representing. Cumbrae is a mere hop, skip and a jump from Largs. It offers the beauty and tranquillity of island life while being extremely accessible and a short ferry ride away. In the height of summer there are 40 sailings each way per day to the Isle of Cumbrae. People flock there not only for the beautiful scenery, but to visit the £4.2 million education facility, the Field Studies Council, which was built in partnership with the Scottish Government and has attracted visitors and scholars from across Europe, if not the world.

The Isle of Arran is a little more remote and offers towering mountains and luscious rolling landscape that can, in the right light, simply take your breath away. I mention such things not only for the sake of it, because it is such a nice thing to discuss, but because both islands enjoy a huge influx of visitors, especially, although not only, in the high season.

The hon. Member for Ayr, Carrick and Cumnock mentioned the road equivalent tariff, whereby ferry fares are set on the basis of the cost of travelling an equivalent distance by road, including a fixed element to keep fares sustainable and to cover fixed costs such as infrastructure. RET was introduced to the island of Arran in October 2014. I hope that my setting out the benefits of RET will help the Minister as he deliberates about how to stimulate island economies and help them to grow.

The right hon. Member for Orkney and Shetland (Mr Carmichael) expressed some disappointment that Orkney and Shetland appear not to benefit from those advantages. He will be aware that the Minister for Transport in Scotland announced that RET would be rolled out to Orkney and Shetland in the first half of 2018. That announcement was very much welcomed by his colleagues Tavish Scott and Liam McArthur. I am sure that the right hon. Gentleman will also, when he has time to reflect, wish to welcome the announcement.

Mr Carmichael: I am on the record as welcoming the good intentions: I am just frustrated that, almost 11 years since the same opportunities were given to communities in the Western Isles, we still have not seen a single penny piece in the Northern Isles. Surely, the hon. Lady understands why our communities are so frustrated by the decisions taken by her Government in Edinburgh.

Patricia Gibson: As I said, I understand the right hon. Gentleman’s frustration, because we all want to fight for our constituents and secure for them whatever advantages we can as soon as possible. He will also remember that I said that the Isle of Arran got RET in 2014. From what he said, that was a considerable distance behind the first roll-out. The fact is that the roll-out is a process and a programme. Obviously, the islands that are not at the front of the queue will be frustrated and impatient, as they should be. The fact is that RET—as I suppose his frustration suggests—is a huge benefit to island communities, and any island would be mad not to want to secure those advantages as soon as could be arranged.

The object of road equivalent tariff is to increase demand for ferry services by making ferry travel much more affordable and more accessible, to increase tourism and to enhance the local and wider national economy. That is why the right hon. Member for Orkney and Shetland, the hon. Member for Ayr, Carrick and Cumnock and I are so excited about it. In order to be as helpful to the Minister as I can—I always try to be helpful to my...
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Economies of the UK Islands

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Economic Group reported last year that, based on
and economic opportunities.

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The tourism sector has accrued the greatest benefits,
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and fragile—we have heard a bit about that today. For
route between Cumbrae and Bute.

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mark et with neighbouring islands. The Scottish Government

timetable. RET has enhanced the island-hopping tourist
journey purposes, and increased the demand for ferry
services. In addition, the number of tourists has increased
substantially, with the season extended from Easter and
peak summer to the equivalent of the whole summer
timetable. RET has enhanced the island-hopping tourist
market with neighbouring islands. The Scottish Government
are investing £1.8 million a year to support RET for the
route between Cumbrae and Bute.

We know that job markets on islands can be challenging
and fragile—we have heard a bit about that today. For
Arran businesses, the impact of RET has been extremely
positive, with increases cited in footfall and turnover.

The tourism sector has accrued the greatest benefits,
with hotels, guest-houses, campsites, golf courses and
visitor attractions all highlighting the positive impact
of RET.

Interestingly, RET has been particularly beneficial to
the more remote areas of the island of Arran, particularly
on the west coast. That is surely down to the increased
numbers of visitors avail ing themselves of the opportunity
to bring their cars on to the island at a much reduced
cost, and exploring the farther reaches of the island,
beyond Brodick and Lamlash. It is heartening to see a
new £10 million distillery on Arran, and major expansion
of the Auchrannie hotel and spa, which will enhance
any visitor experience. RET has also allowed those who
live outwith the island to take up jobs that have been
challenging to fill, as students or seasonal workers can
sometimes fill them. There is even a scarcity of staff to
fill the increasing demand for workers in the hospitality
industry, demonstrating the success of RET for the
island.

Of course, there is no denying that RET has posed
challenges for some businesses in the retail sector, because
they are becoming increasingly exposed to competition
with the mainland. However, studies show that the
overwhelming consensus is that there has been a very
positive impact on the island in terms of social, cultural
and economic opportunities.

We know that connectivity is key, and that is very true
of broadband connectivity for our islands. The Arran
Economic Group reported last year that, based on
cabinet installations, more than 90% of households and
businesses now have access to superfast broadband,
with take-up on Arran and Cumbrae at around 41%.
There have been particular issues with the area of
Machrie on Arran, but progress is being made.

We have heard some remarks about connectivity,
regarding broadband and mobile phone signals. It is
true that that is an issue, but as I always say to constituents
when they raise such matters with me, the connectivity
of broadband and mobile signal on this very estate
sometimes compares to some of the difficulties that
people have on the island of Arran and other outlying
areas in our coastal communities. The broadband
and mobile phone signal on this estate is sometimes, as you
will be aware, Mr Rosindell, absolutely shocking. The
fact that we have that problem in the middle of London,
in the middle of the parliamentary estate, shows the
scale of the challenges that our island communities
face.

Arran also suffers from the lack of affordable housing.
That is a challenge for future economic growth on the
island, since it has an impact on the working-age population.
One barrier is that 22% of homes on Arran are second
homes, with a further 59 empty homes identified. We
need to find ways of offsetting those issues, alongside
plans to build new affordable homes on Arran. The
Scottish Government have helped to fund 96 new homes
in partnership working. That is a start, but clearly there
is much more work to be done. The Scottish Government
are investing £2.2 million on Cumbrae for amenity
housing, but there is no room for complacency. Affordable
housing remains a big challenge.

We know that there are pressures on Scotland’s budget.
I was quite bewildered by the comments made by the
hon. Member for Isle of Wight (Mr Seely). He is
standing up for his constituents, which is exactly what
he is supposed to do, but I flinched when he called the
Barnett formula “generous”, given that Scotland’s resource
budget was cut by £211 million this year and will be cut
by £538 million next year. I am sure that he wants more
resources for the Isle of Wight, but I do not think that
describing the Barnett formula as generous is the way
to do that.

Mr Seely: Will the hon. Lady admit that Scottish
islands get two things that the Isle of Wight does not:
the Barnett formula—whether or not she describes it as
generous—and the Scottish islands needs allowance?
They are twice as generously funded as the Isle of
Wight.

Patricia Gibson: The islands do not benefit from the
Barnett formula; Scotland is allocated funding through
the Barnett formula. I cannot describe it as generous—and the Scottish islands needs allowance? They are twice as generously funded as the Isle of
Wight.

Patricia Gibson: The islands do not benefit from the
Barnett formula; Scotland is allocated funding through
the Barnett formula. I cannot describe it as generous. I
do not believe for one minute that the hon. Gentleman
is wrong to fight for his constituents, but comparing
their funding unfavourably with any funding formula
for Scotland is the wrong way to go. One thing that the
islands in Scotland benefit from is the priority that the Government
give them. That might be a way forward.

There are clear challenges. Our island communities
matter to us, as of course they should. As the hon.
Member for Ayr, Carrick and Cumnock mentioned, the
SNP Government in Scotland has brought forward the
Islands (Scotland) Bill, which seeks to build better
national and local economic frameworks for island development and their unique needs. It seeks to ensure that any legislation that is passed will be “island-proofed” to make sure that islands are taken into consideration and not forgotten about. That will help our island communities to become more sustainable and vibrant as they face the future—something that we all wish to see. I hope the Minister will reflect on the benefits of RET and will investigate the provisions of the Islands (Scotland) Bill, and perhaps use that as a way of improving the lives, experiences and economies of the islands across the UK.

I end by urging all Members who are here today—and those who are not, but who have the good fortune to listen to the debate—to pay a visit to the beautiful islands of Cumbrae and Arran, where they will find the scenery breathtaking and the communities warm and welcoming. Like so many previous visitors, they will find that they wish to return again and again.

10.30 am

Peter Dowd (Bootle) (Lab): It is a privilege to serve under your stewardship, Mr Rosindell. I congratulate the hon. Member for Havant (Alan Mak) on securing this debate and bringing the issue to the House to chew over—it is very important. The contributions from the hon. Member for Isle of Wight (Mr Seely), the right hon. Member for Orkney and Shetland (Mr Carmichael) and the hon. Member for Ayr, Carrick and Cumnock (Bill Grant) indicate the complexity, diversity and multifaceted aspects that this issue throws up. It must be seen in the context of the type of islands that we have in this country—from the Isle of Wight, with its 140,000-odd population, right through to some of the inhabited Scottish islands, which have perhaps five or six inhabitants. It is not quite as simple as saying that an island is an island.

There is also the diversity of economic activities on our islands. The hon. Member for Ayr, Carrick and Cumnock talked about windsurfing, and I also got the impression that he has tasted whisky. I look forward to hearing his experiences of windsurfing—if not seeing the photographs—next time we debate.

As the hon. Member for Havant mentioned, one of the greatest problems faced by the economies of UK islands is poor infrastructure. The rising cost of transport for people who live on UK islands clearly has a knock-on effect on jobs, suppliers and the population, as many young adults are choosing to leave their island homes in favour of finding work in the rest of the country.

Another challenge is the higher levels of unemployment: the unemployment rate on many islands is well above the national average. The Isle of Sheppey’s unemployment rate stands at 2.6%, while those on the Scottish islands of Arran and Bute are 3.8% and 4.1% respectively. As has been discussed, many islands are tourist destinations, which means that a large amount of the work is seasonal. In the past, that might have been less of a challenge, but with weather becoming increasingly unpredictable due to global warming, it is much harder for those economies to plan and scale. It is not necessarily a major factor at this point, but it is a factor. In relation to the grouse—I mean gross, though grouse is very appropriate for Scotland—the gross household disposable income on UK islands is lower for workers in the Orkney Islands, the Isle of Wight, the Western Isles and Anglesey than for those in much of the rest of the United Kingdom.

Given the increasingly technological nature of advanced economies, the hon. Members for Isle of Wight and for North Ayrshire and Arran (Patricia Gibson) have quite rightly pointed out the vast differences in broadband connectivity and speeds between parts of the UK and the islands. That has a huge impact on island economies, particularly on the number of small businesses that operate remotely. Naturally, many UK island economies suffer from having less resources, which hon. Members have mentioned, and have a heavy reliance on a limited number of supply chains, which leads to the UK’s island populations paying more for goods and services. When combined with lower-than-average incomes, higher costs of household essentials are a key factor in driving poverty levels.

All those issues have been outlined with clarity by Members from across the House. We have had the analysis of the symptoms, but I am not sure we have had the practical things we can all do to help those communities—I hope the Minister will address that. It falls on me, as Opposition spokesperson, to refer to the elephant in the room: eight years of austerity. Many areas have suffered disproportionately from that because of the lack of investment in those communities, where they have struggled.

Let me take a couple of examples. I understand that Canvey Island has an independence party, with eight or nine councillors. I am not quite sure whether they are going to get to a referendum—but perhaps we should not go there, or talk about customs unions or single markets, as I am sure we have enough trouble with that at the moment. Canvey Island sits in the borough of Castle Point in Essex, a local authority that has seen nearly £1 million of Government grant disappear. Reports now suggest that Castle Point will be running a million-pound deficit in three years’ time.

Perhaps we should turn to Hayling Island, which the hon. Member for Havant mentioned and knows well, as it is in his constituency and covered by Havant Borough Council. A couple of months ago, his local paper, the Portsmouth News, reported that the local authority had been forced to increase council tax by the maximum of 3%. The local population will have to pay that—a population that, as the hon. Gentleman said, are already stressed and straining. Why might a Conservative council feel the need to increase taxes on the good people of Havant and the island of Hayling? It faces a £1.2 million reduction in central Government support as a direct result of the Government’s policies. There is no way to duck that particular issue. The council leader, when describing the measures being taken to try to rescue some services said:

“We didn’t want to go down this route but we had no option”. The council faces a significant reduction in central Government funding through the revenue support grant, which in 2016–17 was £1.4 million, is now £290,000 and from 2019-20 will be zero. That is a factor in the issues that the hon. Gentleman raised.

These are not isolated examples. If we consider any of the local authorities of the islands mentioned in this debate, the story is the same—deep and pernicious cuts that threaten the very existence of some of them.

Mr Carmichael: Of course reductions in public expenditure are difficult for island communities, as they are everywhere. The real difficulty that they face is not
communities need more than anything else is the ability to spend the money that they have. What island and local authorities are given so little discretion over the fact that so much of it comes with strings attached just the amount of money that they have to spend, but

Peter Dowd: I agree with the right hon. Gentleman, and his point feeds into the whole question of devolution within nations. Whether we like it or not, there is centralisation down here in Whitehall and Westminster. That is not a criticism, as it happens in all parties. In the past, I have called it—forgive the phrase, Mr Rosindell—the anal retention down here. It is not particularly helpful or productive. Local communities know their areas best and it is best for communities to get on and use their discretion, within as wide a parameter as possible, to provide services in their areas. They tend to know best.

Given how these local economies are often heavily reliant upon the public sector, following major structural changes to the economy of the last four decades, it is little surprise that some communities are under stress. The hon. Member for Havant referred to commercial practicalities. Sometimes, they will close down banks, pubs and other services. Do we permit that to happen, or do we do something to ameliorate it? It is sometimes the Government’s job to help and to intervene—not to direct or do too much, but to go in and help communities where such services are the lifeblood. In 10 or 15 years’ time, we will all be concerned that such services have de facto closed down, and we will ask what we could have done to support them.

Some islands are getting increasingly desperate about the way things are. All joking aside, some people on Canvey Island want independence because they do not feel they are getting the deal they should be getting. That underlines the point that the right hon. Member for Orkney and Shetland made about devolution and about local communities being able to run themselves where possible.

It is important that the Government begin to invest in the UK island economies and engage with their populations. Whether that means the Isle of Wight or a small island off the Scottish coast, that has to happen. It could mean investing to stimulate employment opportunities on UK islands, as the increasingly unpredictable cycle of seasonal work is clearly not enough to sustain island economies. Anglesey and Orkney have demonstrated that investment in renewable energy can deliver sustainable jobs and put the UK on the path to energy security, as the right hon. Gentleman said. The Government have to stop being blinkered; they must look at these issues and at how they can work with communities.

The Opposition have some transformative proposals, such as our plan for a coastal communities fund—a policy we have been consulting on since the election, and which we will begin to outline in due course. I believe it will address some of the issues that the hon. Member for Havant raised, deliver investment in a number of UK island economies and hopefully bring them back from the brink. In our grey book, “Funding Britain’s Future”, we set out an immediate increase in local government funding while we review council tax and business rates. That in itself will not prevent some communities from going over the edge, but we have to send them the message that we are here to help and support them, and that we will do everything we can to ensure they continue so that we maintain the diversity of our country, I am sure the hon. Gentleman will welcome that injection of investment into his community.

We need a radical rethink to help communities that feel under pressure, left behind and under threat. Tinkering at the edges is not good enough, and will not help island communities, in their diversity, to succeed.

10.43 am

The Exchequer Secretary to the Treasury (Robert Jenrick): It is appropriate that you are in the Chair, Mr Rosindell, as you are Parliament’s greatest champion of a different type of island: our overseas territories and Crown dependencies.

I thank my hon. Friend the Member for Havant (Alan Mak) for raising this important issue and for enabling a range of Members from across the House, representing all parts of the United Kingdom, to participate and give a complete tour of the British Isles. One thing we have learned today is that, although the British Isles are a great archipelago of more than 6,000 large and small islands and isles, relatively few of our constituents live on them, and we are perhaps less appreciative of them than we should be. Perhaps more than at any other point in our history, we are disconnected from our coast and our coastal communities. The Government are keen to change that and to ensure coastal communities and islands are properly represented. Today’s debate is an important part of that.

We want to raise productivity, living standards and economic growth in all parts of the United Kingdom, and of course islands and island communities are an essential part of that. Members representing the Isle of Wight, Hayling Island, Orkney and Shetland, Cumbrae, Arran and others have told the stories of their communities, many of which have been very positive. An important part of what we have heard today is that, although living on an island can cause problems, to which the Government, at a national or a local level, must respond, there are also opportunities for economic growth. Wonderful benefits can come from living in communities that are close and, as the right hon. Member for Orkney and Shetland (Mr Carmichael) said, can be very outward-facing to the rest of the world.

We appreciate that the barriers to growth can include a lack of opportunity—which can be a barrier to social mobility—poor connectivity and relatively high costs for transport, public service delivery and goods in the private sector. Although living on an island has many benefits and wonderful opportunities, which anyone who has grown up on one no doubt always lives with, the mainland can exert a strong gravitational pull, particularly to the young, and can at times lead to a drain of talent and youth. However, we have heard today about a number of islands whose populations are rising, which is very positive indeed.

Many of the barriers that island communities face are obviously a natural consequence of their geography and are common to all. Crudely, there are three types of island within the British Isles. The Isle of Wight is unique, in that it has a very large population—more than 130,000 people—and no bridge linking it with the mainland. I will turn to its specific demands in a moment.
The islands in the second category are mostly in Scotland, but there are a few off England, such as the Isles of Scilly. The populations of those islands, such as those represented by the right hon. Member for Orkney and Shetland, can still be substantial. They have no bridge to the mainland, and their remoteness poses particular problems, which require solutions, although they have smaller populations than the Isle of Wight.

Third are the islands, such as Hayling Island, that are connected to the mainland by roads. I do not want to diminish the challenges and issues they face, but they have commonalities with rural areas of the United Kingdom that have issues relating to remoteness. They are, to an extent, different from the islands that are separated from the mainland and do not have road links. I will address each of the three types. I apologise that this is a crude way of dissecting the issue, but it is at least a lens through which to look at it.

My hon. Friend the Member for Isle of Wight (Mr Seely) talked about the challenges and the opportunities of the Isle of Wight, which has a substantial population and no road connection to the mainland. The Government must think carefully about how we can assist it in delivering public services and ensuring its economy continues to grow. With the exception of the Isles of Scilly, it is unique—in England, at least—and we need to think about that when preparing new formulas for schools, local government, policing and other matters. I want to consider that with my hon. Friend in the future. I will talk about some of those issues in the time available to me.

A common thread for the Isle of Wight and all the other islands we have discussed today is digital. Although they are somewhat—at times, very—remote, the opportunities presented by the new economy are huge. They can help us break down some of the barriers and enable those islands to be highly connected to the rest of the world. We heard about new broadband opportunities in Newport, and I am sure there are other examples elsewhere in the British Isles.

We are focused on improving digital infrastructure on the Isle of Wight, in particular. It is clearly a critical part of life today. The Government are investing some £1 billion to ensure our digital infrastructure is fit for the future. I believe that the Isle of Wight was one of the first areas to benefit from the £400 million digital infrastructure investment fund. That was when investors Infracapital channelled some of the allocation into WightFibre to help to roll out full-fibre broadband to more than 50,000 homes, to some of which my hon. Friend the Member for Isle of Wight might have referred in his speech. Alongside that, Infracapital will invest £35 million of its own money to fund the expansion of the company’s infrastructure across the Isle of Wight. That is very positive and shows what we can do working together—although of course there is more work to be done.

On transport, roads are another vital part of the Isle of Wight’s infrastructure. From 2013 the Government will provide up to £477 million to Isle of Wight Council for a highways maintenance project through a private finance initiative that is under way. That will allow the council to carry out vital improvements and maintenance to local roads over a 25-year period.

We also recognise that transport to our islands must be adequate. That was not really touched on in my hon. Friend’s remarks, but having spoken to his predecessor in the past I know of concerns about the Isle of Wight ferry. Such concerns are no doubt common in other islands served by a single ferry company. The Competition and Markets Authority is aware of those concerns, which I expressed in my first meeting with the new CMA chief executive, Andrea Coscelli. The CMA is independent and the decision to take forward any investigation is its alone—the Government have no levers to direct the CMA as to which investigations it should choose, but I have raised the matter with him and know he is fully aware of it.

Mr Seely: I did not mention the ferries in my speech because I wanted to talk more broadly about the economy, but the relevant authorities are well aware that I would be keen to call for another investigation. However, I am not doing so at the moment because the new transport board on the Island is trying to work constructively with our ferry companies. I want to give that a chance to work first—for Wightlink, Red Funnel and Hovertravel—to work together more closely and to be more supportive of the Island, driving our economy and being part of the solution, rather than part of the problem. That is why nothing is happening at the moment, but there is that option.

Robert Jenrick: I thank my hon. Friend for his constructive approach. I suggest that he engage with the CMA if he wishes to take anything forward.

Schools do not fall directly within my remit at the Treasury, but in advance of the debate I reviewed the performance of Isle of Wight schools. I appreciate that in some cases there are some long-standing difficulties. The new national funding formula will help to address that challenge. Under the new formula, the Isle of Wight stands to gain up to 3.2% for its schools, which represents an increase of £2.2 million, or £140 per pupil. Clearly, the new formula’s interest in sparsity of population will help in some island cases, but not in all because some islands are relatively densely populated. In certain parts of the Isle of Wight, however, that sparsity provision will help—I believe two primary schools will be eligible for funding in that respect. Certainly the specific challenges of the Isle of Wight need to be considered in future funding formulations.

I shall turn briefly to the comments of the right hon. Member for Orkney and Shetland and to those islands that fall into the category of remote, or very remote, and without any of the direct transport links of a road bridge. Clearly, such islands require careful consideration by central Government. We shall work as constructively as possible with the Scottish Government in areas where we can collaborate. When the right hon. Gentleman was in Government, he created the 2014 island framework to encourage the UK Government to work closely with the islands around Scotland. We would like to see such initiatives continue.

The Government also recognise the issues with broadband, and we want to do what we can to assist in Scotland. For example, more than £50 million of the superfast broadband programme went to the Scottish highlands and islands to provide access to download speeds of at least 24 megabits per second. Recently, we announced the winners of phase 1 of the £25 million 4G testbed competition. That include £4.3 million for the 5G RuralFirst testbed, which will be based primarily in the Orkney Islands.
As far as possible, we continue to support North sea oil and gas through continued Treasury investment, and a strong and stable fiscal framework for the oil and gas industry, most recently with the announcement of the transferable tax history, which has been widely welcomed by the industry. I take on board the comments of the right hon. Gentleman with respect to renewables and the essential role that they play, and will continue to play, in the future of islands such as the Orkneys and Shetlands. I shall take away his suggestion about wave and tidal funding.

Finally, on islands connected to the mainland by road, the most prominent one we heard about today was Hayling Island, which sounded like a wonderful place. I would love to visit the bookshop or the ferry and, on a day like today, we would all like to be on an island such as Hayling. Many of the issues raised by my hon. Friend the Member for Ha vant are common in other rural areas elsewhere in the United Kingdom, and we are concerned about them. We are, for example, making further investment in roads. We have launched the large local majors programme, which is potentially transformative for market towns and smaller communities that require significant road investment projects. I encourage my hon. Friend to take that up with the Department for Transport, if applicable.

We are also aware of bank closures, which have been widely debated in the House and are common to a number of communities throughout the United Kingdom, although I appreciate that in islands the effect can be greater than elsewhere. The schools funding formula will help many island communities, as it will in my hon. Friend’s constituency, and we would like to see that taken forward. Since 2012 the coastal communities fund has invested £174 million in projects focused on economic development, growing and regenerating coastal areas. The Isles of Scilly have benefited from the fund, as did the Hayling coastal community team in 2015, from £10,000. Funding round 5 is now open, with £40 million available to spend from April 2019 until the end of March 2021.

Mr Seely: Will the Minister give way?

Robert Jenrick: In a moment if possible, but I am conscious of time.

I encourage all Members present to take advantage of that fund, where applicable, feeding into it and putting in their applications as soon as possible. From the Treasury’s perspective, I shall continue to work with my colleagues at the Ministry of Housing, Communities and Local Government as we proceed to consider what the next stage of the fund will be. I shall ensure that the comments about islands we have heard today are fed into that process. I would like to work with my hon. Friends the Members for Isle of Wight and for Havant to ensure that the next iteration of the fund takes on those views and works for coastal communities.

I thank all colleagues who have attended the debate to discuss these matters. We are very committed to taking this agenda forward and to ensuring that island communities have the funding and support they require to have vibrant communities and economies. Over the course of the year, whether in making decisions about applications to the coastal communities fund or in shaping the UK shared prosperity fund—that is an important discussion to be had in Parliament over the year to come, and I again encourage hon. Members representing coastal communities to take it seriously and engage in it—we shall continue, I hope, to display our commitment to the islands of the British Isles and their communities.

10.58 am

Alan Mak: We have had a very good and wide-ranging debate. I thank all right hon. and hon. Members for contributing. The right hon. Member for Orkney and Shetland (Mr Carmichael) was right to highlight the opportunities and strengths of islands in addition to the challenges. In an excellent speech, my hon. Friend the Member for Isle of Wight (Mr Seely) emphasised what special and unique places our islands are. My hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) gave us an excellent perspective from Scotland, and I commend him for his service as a fire officer on Argyll and Bute.

I thank the Minister for his thoughtful response and his commitments, on behalf of the Government, to increase productivity and living standards on all the islands of the United Kingdom, including Hayling Island. I would very much welcome his visiting my constituency. I thank both Opposition spokespeople for their responses, the hon. Member for North Ayrshire and Arran (Patricia Gibson) in particular. She, too, is welcome on Hayling Island anytime. Thank you, Mr Rosindell, for chairing the debate.

To conclude, we are all islanders and must all work together to ensure that all the islands of the United Kingdom, whether large or small, have a bright economic future. I am glad that the House, through this debate, has committed to ensuring just that.

Question put and agreed to.

Resolved,

That this House has considered the economies of the UK islands.

Andrew Rosindell (in the Chair): Order. The sitting is suspended for three minutes to allow broadcasting to switch their feeds to facilitate simultaneous transmission.

11 am

Sitting suspended.
Support for Deaf Children: South Gloucestershire

11.3 am

Luke Hall (Thornbury and Yate) (Con): I beg to move,

That this House has considered support for deaf children in south Gloucestershire.

It is a pleasure to serve under your chairmanship, Mr Rosindell. I am delighted to have secured a vital debate about the issues faced by deaf children and their families in South Gloucestershire. I am grateful to the House authorities for ensuring that there is a signier today in the Public Gallery and live subtitutes during the debate.

I secured the debate after meeting parents and families of deaf children in my constituency, and subsequently the National Deaf Children’s Society, to discuss the current review of service provision across the four authority areas in the west of England. I thank those families and the NDSC for discussing the matter with me in great depth, and for all the work they do up and down the country to make life better and fairer for deaf and hearing-impaired children.

Hearing loss affects more than 10 million adults and around 45,000 children in the UK. Of those, around half are born deaf, while others can acquire the condition later during childhood. Around 370 children are born with severe to profound deafness in England each year. Deafness in children can be temporary or permanent, and it can be mild or profound. It can be in one ear or in both. Regardless of its type, it is often a very high-need condition and it can have a serious impact on children’s development and their ability to achieve their ambitions. It can affect language development, ability to communicate and educational achievements and attainment, and it can increase the risk of isolation and mental health difficulties. Around 48% of deaf children fail to reach the expected levels of language communication skills in their early years. It is easy to see how this condition can go on to have a negative impact on children and affect their quality of life.

Local authorities and schools in England already are required to provide support for deaf children, to ensure that young children especially are not at a substantial disadvantage to their hearing peers. The fact that only one in five children passes GCSE English and maths in the south-west demonstrates that there is still much more to do. Deaf children in South Gloucestershire face the same issues. Despite the fact that deafness is not a learning disability, 44% of deaf children are likely not to do as well as their peers. It is clear that more needs to be done to close the gap, to support children and to ensure that they have a fair chance of maximising their educational achievements and fulfilling their potential.

Deaf children and young people in South Gloucestershire rely on support provided to them by the Sensory Support Service, which has served other neighbouring local authorities since 1996: Bath and North East Somerset, Bristol and North Somerset. The service supports the educational development of children in the area who have sensory impairment and who are aged between zero and 16.

In November 2017, the four authorities decided to carry out a review of all the support services. That review is at an early stage. A stakeholder reference group has been created to enable parents, charities, children and carers to input into the review, and it allows anyone affected to have their say. The stakeholder group is meeting for the first time later this month, and it is timely that we have this debate just days before that meeting is due to take place. The redesigned service will come into effect around September 2019, and it will continue to be jointly commissioned by the four authorities. Now is the right time to ensure that the new revised service is fit for purpose and is serving deaf children well in our community.

There are four main points that I would like to raise, which should be considered as part of the review: early years support, teachers of the deaf, speech and language therapy and, importantly, the provision of radio aids.

Jack Lopresti (Filton and Bradley Stoke) (Con): I congratulate my hon. Friend on securing the debate and pay tribute to the fantastic work he is doing on this important matter for children in our council area. I welcome more proposals, in particular to ensure that the new Sensory Support Service prioritises the provision of radio aids for children to use in nursery and at home. That would be hugely beneficial to the children and their families, who need that highly valuable resource.

Luke Hall: I welcome my hon. Friend’s comments. I will talk about the issues he raised in a bit more detail, but he has hit the nail on the head about the need for hearing aids and other assisted listening technologies outside the school or nursery setting. I thank him for that, and for his important work in South Gloucestershire on behalf of the communities.

Early years support services can be vital in determining a child’s future success. Therefore, it is important that local children get the targeted support that they require as early as possible during their development. Unfortunately, that is not always the case. Many deaf children can face a lack of pre-school and early years support. The foundations for communication and language skills are often laid during the earliest stage of a child’s life. Local parents have expressed their concerns about the uncertainty that comes with the review and about making sure that the outcome is right. Support for early years and pre-school must be prioritised and strengthened during the review period.

Support in the form of teachers of the deaf can be extremely useful for children with hearing loss. They provide specialist training and advice to teachers, parents and pupils on how to deal with the difficulties that come with the everyday challenges that people may face. Those teachers can give skilled assistance to pupils and their families and make a significant contribution to their academic progress and achievement later in life. Currently, there are unfilled vacancies in South Gloucestershire that are a source of concern to local parents, who want to ensure that the frontline delivery of services remains a priority after September 2019. Parents want to be certain that children in our community will continue to have fair access to help from those specialist teachers so that they can continue to make positive improvements in their development and learning. It is vital that the review protects frontline teaching of the deaf.

My third point is about therapy support—specifically, speech and language therapy provision—beyond key stage 1 in South Gloucestershire. Speech and language
therapy—SALT—can help children to develop better communication skills, optimise their speech, build their confidence and improve their interaction with others. It is important to ensure that the appropriate specialised SALT support is provided beyond key stage 1, because it can make a real difference to the development of children’s communication.

It is important that local children can continue to benefit from the expert advice and assessment of the NHS SALT service after the review. This is, therefore, the perfect time for South Gloucestershire Council and other authorities to consider improving the joining up of provision and support between health and education organisations, especially following the Ofsted report. Although I accept that in some cases commissioning is delegated to schools, it is important to ensure that support such as the provision of teachers of the deaf and SALT is complemented, and that there are no gaps in the provision of services for deaf children. That is a real concern that parents and the NDCS in particular have raised with me.

Chris Skidmore (Kingswood) (Con): I thank my hon. Friend for securing this debate. He raises important points about education provision in South Gloucestershire, which is not as good as it should be. South Gloucestershire does not do as well as neighbouring local authorities such as Bristol, particularly for deaf children and people with special educational needs. On speech and language therapy provision and its funding, does he believe that the Bristol, North Somerset and South Gloucestershire clinical commissioning group also has a role to play? Deafness is a special educational need and a physical impairment, and its detection can take place at GP centres and in hospitals, so the NHS and South Gloucestershire Council both have roles to play.

Luke Hall: I thank my hon. Friend for that intervention and for all the work he does on behalf of people, including children, around South Gloucestershire. He is absolutely right: of course the clinical commissioning group and local NHS services have a role in ensuring that children around South Gloucestershire receive optimal support. He is right to point out that there are clearly ways we can improve in South Gloucestershire following the Ofsted report.

The need for improved access to assistive listening technologies such as radio aids—especially, as my hon. Friend the Member for Filton and Bradley Stoke (Jack Lopresti) pointed out, for pre-school children outside the nursery setting—has come up time and again in my conversations with local parents. Radio aids help deaf children to hear speech and sounds more clearly, as they transmit sound directly to a child’s hearing aid or implant. That can be critical in the early years of a child’s life, when they are at the earliest stage of learning. Radio aids can play an essential role in language development and in improving parent-to-child communication in the home and outside nursery.

We had a fascinating day when the NDCS brought hearing aids here so that we could hear the remarkable difference, in a busy and loud environment, between having that technology and not having it. Such environments often make for difficult listening conditions, and radio aids can prove useful in reducing the effects of background noise and improving the listening experience. Using them in places such as the car, public transport, after-school clubs and the home can make a big difference in a child’s language development and improve their concentration and attention.

Chris Skidmore: My hon. Friend is being very generous in giving way. Is that not the critical point? Academics such as Leon Feinstein have shown that word acquisition varies: at the age of three, a child in a disadvantaged family might know 600 words but a child in a more affluent family might know nearly 6,000 words. For a deaf child, being able to acquire words early is vital. The success of the Government’s phonics programme in developing language acquisition has clearly been proven, but that cannot take place unless we have radio aids. Does he therefore believe that there should be universal provision of radio aids for deaf children in South Gloucestershire, and that children should be able to take those aids outside the school setting to ensure they are constantly learning and engaged in whatever setting they are in?

Luke Hall: My hon. Friend is absolutely right to point out the success of the Government’s phonics programme and the disparity in children’s vocabulary. I will come on to an example of a child in my constituency who benefited and learned new words by being part of a trial in South Gloucestershire that made radio aids possible. I completely agree that it is vital for people to have access to radio aids outside the home.

Living with hearing loss is sometimes an isolating and lonely experience, and radio aids have been shown to have positive effects on children’s psychological and emotional wellbeing and self-confidence. Perhaps the best argument for the use of radio aids I have heard came from my constituent, Hannah, whose daughter has severe hearing loss and has been wearing hearing aids since she was eight weeks old. Hannah’s daughter was offered the chance to use a radio aid for a trial period. Hannah told me how beneficial that had been for her daughter, who started to pick up new vocabulary and became more confident and independent. That radio aid enabled her to have an experience of life that was much more like that of her hearing friends.

Local parents are concerned about the fact that although the provision of radio aids outside the school or nursery setting might be greatly beneficial, it is not a certainty for children in South Gloucestershire. In this review period, there is even more uncertainty about what will come post September next year. I therefore urge all four authorities to use the review to consider providing radio aids to all deaf and hearing-impaired children for use in the home and outside the school or nursery setting as quickly as possible.

I ask the Minister to urge South Gloucestershire Council and the other three authorities to take the review process as an opportunity to evaluate overall provision for local deaf children, and to have in mind the four points I have raised: prioritising early years and pre-school provision and ensuring that it is strengthened as a result of the review; protecting the provision of teaching of the deaf; joining up the teaching of the deaf and speech and language therapy services, which is particularly important and has been raised a number of
times; and considering providing radio aids to all deaf and hearing-impaired children outside the home as quickly as possible. The review gives us the opportunity to improve the support we offer to deaf children, and to help children in South Gloucestershire to develop better communication skills, optimise their speech skills, build their confidence in interactions with their families and others, maximise their academic attainment and become more confident and independent. Taking those steps will make that possible.

11.18 am

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): It is a pleasure to serve under your chairmanship, Mr Rosindell. I congratulate my hon. Friend the Member for Thornbury and Yate (Luke Hall) on securing this timely debate, which follows my recent meetings with members of the all-party parliamentary group on deafness. I am grateful for this opportunity to set out the Government’s position on supporting children and young people with special educational needs and disabilities, including those who are deaf and hearing-impaired, and to understand views about the services available in South Gloucestershire.

I am determined to ensure that children and young people who are deaf or have a hearing impairment receive the support they need to achieve the success they deserve. Our latest figures show that more than 21,000 pupils who have a hearing impairment as their primary special educational need are supported by schools in England, and 93% of children with a hearing impairment are educated in mainstream primary and secondary schools. I know that many colleagues are concerned that that group of children and young people is likely to receive a poorer service, and I take on board the point made by my hon. Friend the Member for Filton and Bradley Stoke (Jack Lopresti) about hearing aids in early years settings. However, I assure colleagues that it is not my expectation that those children should receive a poorer service. I expect deaf and hearing-impaired children and young people to receive the support they need to help them fulfil their aspirations alongside their peers. I hope that message gets home to the leadership in South Gloucestershire and neighbouring authorities.

The 2014 SEND reforms were the biggest change to the system in a generation, placing a new emphasis on promoting better involvement of parents and young people in the planning and support provided for their children. The Children and Families Act 2014 and the “SEND code of practice: 0 to 25 years” in 2015 built on best practice developed over many years. The reforms are about improving the support available to all children and young people with special educational needs and disabilities, which we are doing by joining up services for nought to 25-year-olds across education, health and social care and by focusing on positive outcomes in education, employment, housing, health and community participation. I want to be absolutely clear that that vision applies equally to deaf and hearing-impaired children and young people.

The completion of the statutory transition period in the SEND system is not the end point for the SEND reforms. We all recognise that we are only partway to achieving our vision; the biggest issue we have to address now is changing the culture in local authorities, clinical commissioning groups and education settings. We must support organisations to overcome the barriers that prevent them from working together, focus on the long-term outcomes for these young people and ensure that our policies are delivering for families and supporting children to succeed. Supporting schools to respond to the needs of all their pupils is crucial to achieving that goal.

My hon. Friend the Member for Thornbury and Yate mentioned teachers and the training they receive, and that is very much part of the Government’s strategy. In the past five years, we have funded the National Sensory Impairment Partnership to provide a wide range of support to early years, schools, post-16 providers and local authorities to improve outcomes for children and young people with sensory impairment. The work has included the development of resources and training, which are now being accessed by practitioners across the sector.

Having developed those resources and many others relating to other specific impairments, we are shifting our focus to better supporting schools and working to embed the SEND reforms within the school-led system of school improvement. In that way, we aim to equip the workforce to deliver high-quality teaching across all types of SEN. We have recently contracted with the Whole School SEND consortium for a two-year programme to equip schools to identify and meet their training needs in relation to SEND. We are delighted that the National Sensory Impairment Partnership is very much part of that consortium. The consortium will, among other things, help to review the mandatory qualifications for teachers of pupils with sensory impairment to ensure that they remain fit for purpose. I hope that provides my hon. Friend with some reassurance on one of his points.

The Government have separately invested in a number of programmes to support children and young people with hearing impairments and their families. We have funded the development of an early support guide for parents of deaf children, which is available through the I-Sign project and the development of a family-orientated sign language programme, which is available free on the society’s family sign language website.

To support local areas to improve and to reassure families that services will be held to account, we have introduced joint local area inspections. My hon. Friend the Member for Kingswood (Chris Skidmore) alluded to the fact that South Gloucestershire is challenged, certainly. The inspections, which started in May 2016 and will see every local area inspected by 2021, are carried out by Ofsted and the Care Quality Commission. Parents’ views of services are an important part of the inspections. The inspections are playing an important role in our reforms, not least by bringing together education, health and social care services, and I am pleased to see services working collaboratively with families to act on the inspections’ findings.

By the way, I have written to South Gloucestershire, which has been asked by Ofsted and the CQC to produce a written statement of action and is required to update me on progress in the action it is taking to address its weaknesses. We will, of course, support South Gloucestershire to respond to the written statement of action through the Department for Education’s professional SEND adviser team and NHS England’s regional adviser team. I understand the local authority is working hard to address those weaknesses.
The duty to commission services jointly is vital to the success of the SEND reforms. We recognise that unless education, health and social care partners work together, we will not see the holistic approach to a child’s progression and the positive outcomes that the system was designed to deliver. Joint working is also one of the best ways of managing pressures on local authority and NHS budgets. Looking for more efficient ways to work together, to share information and to avoid duplication will work in favour of professionals and those who are most important: families and their children. The child or young person and their family must be at the centre of that joint commissioning approach.

Some areas are demonstrating excellent joint working. For example, Wiltshire received positive feedback on the effectiveness of its local area’s joint commissioning arrangements. It was reported that senior officers across education, health and care worked together effectively, adopting a well-integrated, multi-agency approach.

What might all of that mean to the deaf and hearing-impaired children and young people in South Gloucestershire? As my hon. Friend the Member for Thornbury and Yate articulated, South Gloucestershire, along with its neighbouring local authorities, is considering the best way to support sensory-impaired children and young people through its Sensory Support Service. It is important that parents, carers and young people have and take the opportunity to feed into that work. My hon. Friend, by securing the debate, has provided a wonderful opportunity for his constituents and local authority to hear from colleagues and the Department on what needs to happen, and to shape those services for the future.

I am very supportive of local authorities working together to provide effectively for children and young people in their areas. Working in that way is not about local authorities abdicating their responsibility; rather, it is about achieving a better service and better value for money by working together and sharing knowledge and expertise for the benefit of all.

How local authorities choose to allocate their funding is a matter for them, and each authority will carefully consider how best to meet the needs of its children and young people. I understand that South Gloucestershire has funded radio aids for children to access their learning in early years and schools settings from its equipment budget. I am encouraged that it is working closely with children, young people and families to make decisions on how local funding is allocated to overcome barriers and improve access to education for the children in its area.

My hon. Friend the Member for Kingswood mentioned closing the word gap by improving children’s vocabulary. Last week, we announced a fund of £8.5 million to which local authorities can apply for peer-to-peer review of what really works in terms of whole learning. We now need to assess and collect evidence for best practice from a number of projects, and then we will begin to work out how we scale that for the whole country. I am proud of what has been achieved so far and I look forward to working with the SEND organisations, delivery partners and practitioners to ensure the vision becomes a reality.

My hon. Friend the Member for Thornbury and Yate also mentioned speech and language therapy at key stage 1 and how local authorities should look to expand that and take it forward. Early years provision was mentioned by my hon. Friend the Member for Filton and Bradley Stoke. We have a pretty comprehensive strategy in early years interventions. We currently invest about £6 billion a year in childcare, with the disadvantaged two-year-old offer of 15 hours a week and the universal offer of 15 hours a week for three and four-year-olds. All of that is very much part of our overall strategy for early years intervention.

Chris Skidmore: I thank the Minister for making that absolutely vital point. We have these accusations of school funding cuts and less money going to young people. Will he finally nail this lie once and for all? Across the country and in South Gloucestershire more money is being spent on special educational needs and our primary schools. Cuts are not taking place; the Government are investing in our future.

Andrew Rosindell (in the Chair): Order. We are running out of time. The Minister needs to wind up very quickly.

Nadhim Zahawi: I totally agree with my hon. Friend the Member for Kingswood, who wonderfully articulated the position of the Government. It is absolutely correct. Motion lapsed (Standing Order No. 10(6)).

11.31 am

Sitting suspended.
The Minister will be aware that I have previously corresponded with the Department on what I think should be the priority areas. Although I appreciated the Minister’s response, I wonder whether today I will have an opportunity to share when the strategy will be published and whether electrical product safety will be a priority.

Electricity is one of the biggest causes of fires in our homes, but I see no real Government strategy to help mitigate that risk. Is the office working on a cross-Government strategy? The Home Office has its own “Fire Kills” campaign, but there needs to be a longer, sustained campaign, which Electrical Safety First has been calling for. What is the priority consumer campaign to prevent electrical fires in the home—or where is it? I would like to know what discussions the office is having with the Home Office about fires caused by faulty electrical goods. The Home Office seems to have its own unit, and now the Office for Product Safety and Standards exists, so where is the co-ordination? Can we have some reassurance that there will be joined-up thinking?

I note from the office’s website that one of the first announcements last month was on teaming up with BSI, the UK’s national standards body, to launch the first Government-backed code of practice for product safety recall in the UK. That is a welcome step and is backed by Government, but can the Minister outline whether there will be a Government campaign for consumers on product safety in the strategy? Although initiatives such as “Register my appliance” exist, where is the Government-backed consumer campaign on electrical goods?

There have been significant consumer awareness campaigns from organisations such as Electrical Safety First and the London fire brigade, particularly on plastic-backed fridges, white good fires, counterfeit electrical goods and why recalled goods are openly being sold. The office must get to grips with that issue. From my personal perspective, I do not think it is right that counterfeit electrical goods are sold openly online by the likes of Amazon and eBay. As I have said, the latter will be given an opportunity next week to reassure the APPG meeting, but Amazon has consistently refused to engage and washed its hands of any responsibility, and even though it was invited to next week’s meeting it has declined to respond.

At the last debate, the previous Minister promised a roundtable discussion with Apple, BaByliss, ACG and others to discuss the serious problems they face with counterfeiting and its safety aspects. I keep saying to Ministers that this goes beyond intellectual property; it is about the safety of the public. It is about fire in their homes. It is about the death of my constituent Linda Merron, who bought an electrical product on eBay that burned her house down. It is unacceptable that eBay and Amazon can sell goods that are unsafe and basically get away with it. That would not be allowed on the high street, and the issue will only get worse with the collapse of high street electrical stores such as Maplin, which shows that consumers are increasingly buying online. I want to hear today that the office will tackle those companies that break the law by selling substandard, counterfeit or recalled products.

A closely related problem is the private sales of electrical goods via eBay and Amazon, particularly on Amazon Marketplace. It is my understanding that the Consumer Rights Act 2015 does not cover private sales, so anything
faulty could be sold person to person without legal protection. Can the Minister look into that and perhaps write to me about the situation regarding private sales of electrical goods between two individuals, their rights and the consumer legislation? If there is a loophole, I would expect the office to look at it.

It is all very well my calling for greater attacking of the issues and enforcement, but who will enforce this? As the Local Government Association stated in its trading standards review, between 2010 and 2015 there have been cuts of more than 40% to local government, and trading standards has taken the brunt of those cuts. As CTSI has informed me, "the Office for Product Safety and Standards is a step forwards for consumer protection in the UK. However; there is still a pressing need to ensure frontline trading standards services have the resources to fulfil their duties to protect the public as was noted by the BEIS Select Committee, Lynn Faulds Wood and the National Audit Office."

Rachel Reeves (Leeds West) (Lab): I congratulate my hon. Friend on all the work she has done to identify these serious issues. She mentions trading standards. The National Audit Office has identified the funding gap there, but I think there is another issue. Local trading standards are responsible for businesses in their area. In Peterborough, where Whirlpool is based, the local trading standards office is responsible for the quality of goods for Whirlpool nationwide. There is a conflict of interest and it does not work, because the local trading standards office does not have the resources to police a multinational company such as Whirlpool.

Carolyn Harris: I totally agree with my hon. Friend. It is my understanding that Peterborough actually has fewer than three trading standards officers.

Will the Minister please outline how trading standards will be boosted and supported by this new office? Will there be moneys for the training of more trading standards officers? Surely the Government realise that more people are needed on the ground, and now. Will any support for trading standards be backed up with a proper database of injuries that stakeholders can access?

Andy Slaughter (Hammersmith) (Lab): I am not surprised to hear that there are three trading standards officers in Peterborough, who of course have to cover everything that trading standards does. The time spent on electrical safety will be perhaps part of one post. We need to know from the Minister how the new office will actually fill that gap. At the moment, nobody regulates what is happening. It required Which? to start legal action before Whirlpool or the Government responded at all on this.

Carolyn Harris: I totally agree with my hon. Friend. Like him, I have struggled greatly with Whirlpool. Communicating with the company has been extremely difficult.

The APPG will shortly produce a report on what we believe the Minister and the new office should look at, in terms of electrical safety, based on evidence received from a wide range of organisations. I will invite the Minister to the meeting in July, but he is welcome at any meeting. As we did with his predecessor, perhaps we could have a roundtable discussion—perhaps along with his officials—on these issues, the strategy and our report. I hope the Minister will indicate whether that may be possible.

As I stated earlier, I welcome the new office, but there are concerns about its priorities and strategy and what it will do to protect consumers. Electrical product safety must be a priority area, given the tragic consequences we have seen of white goods fires. I wish the office well, but as I am sure colleagues will raise, more needs to be done to reassure consumers, stakeholders and the electrical products industry that the office will provide the necessary strategic vision, have real power for consumers, support trading standards and be listened to across Government to help to protect the public from electrical product safety problems and fires in their homes.

2.42 pm

Stephen Kerr (Stirling) (Con): It is a pleasure to serve under your chairmanship, Sir David. I pay tribute to the hon. Member for Swansea East (Carolyn Harris) and congratulate her on securing this important and timely debate.

Product safety standards is a subject on which we should all be focused. It is not so long ago that I wrote a column for my local newspaper, the Stirling Observer, which focused on product safety—especially of tumble dryers. I received an unexpectedly high response to that article compared with others I had written on more current constitutional issues that we might debate in the House and in Scotland.

I also reflect on the first ever surgery I attended as a newly elected Member, in the Mayfield Centre in Stirling. We advertised the event but only two constituents came along to speak to me, so I had some time to speak to the caretaker. He was delighted to speak to his new MP, because he wanted to point out to me an issue that, so far as he was aware, no one was speaking about: the regulation and safety of tumble dryers. Little did I know that, within a few weeks of that, I would be a member of the Business, Energy and Industrial Strategy Committee and that we would be conducting an inquiry into the safety of tumble dryers.

This is an important subject, as has already been mentioned by the hon. Member for Swansea East. Our inquiry found, as can be read in the published report, that companies such as Whirlpool have not made enough of an effort to take responsibility for their products and the consequences of their use when they are deemed dangerous. In fact, the report identified that a million faulty tumble dryers are in everyday use in this country. We also identified in the report gaps in the regulatory regime.

I should mention that, during the hearings that we conducted, Whirlpool made commitments about its willingness to respond to the concerns that we raised. We asked it to resolve issues with defective machines within two weeks. It said that it would do it within a week, but we have no way of measuring whether the company has been true to the commitment that it made and put on the record.

Rachel Reeves: I thank the hon. Gentleman for his work on our Select Committee in probing Whirlpool and Ian Moverley, who gave evidence—or at least answered a few of our questions, but not all of them. On the 1 million faulty tumble dryers that Whirlpool knows about,
is the hon. Gentleman also concerned that Which? said that it had found as recently as last month through its mystery shopping that customers with these faulty tumble dryers were still being given the wrong advice? That means there are potentially still 1 million tumble dryers in our homes that could catch fire, like the ones we in the Committee heard about and the ones other hon. Members have given evidence on.

Stephen Kerr: I am grateful to the Chair of the Select Committee—I have the privilege of serving on it—for her intervention. She is absolutely right, and I share all those concerns—specifically in relation to the Which? report of recent weeks that suggested that Whirlpool customers were being advised that they could continue to use their defective models, even though they were known to be defective and presented a danger to the safety of the people who lived in homes where they were in use.

Similarly, I am also concerned to hear that the BBC and Which? have reported that some of the machines that have had their defects corrected have then caused fires. This is a significant issue and, as I said earlier, is something that should concentrate all our minds—particularly those of Ministers. I am sure that the Minister will wish to address these specific issues in his reply.

Questions need to be asked, and it is vital that the regulatory regime that we have meets the need that we currently place on it. As we take more products into our lives and rely more on technology, the more we need a regulator with teeth. The new Office for Product Safety and Standards is a promising development, but it will need to be tested against reality—the lawyers and the corporate spin machines that defend the spin cycles of the manufacturers.

I should at this point deviate to tell the House that I had a most interesting experience in the last few minutes while visiting a constituent of mine who is here in Parliament. She is at a drop-in event in Portcullis House, sponsored by Genetic Alliance UK, which is a charity that works to improve the lives of patients and carers. I told her that I was coming to Westminster Hall to participate in a debate on tumble dryers—that is how I expressed it, even though the debate is broader—and she volunteered that her tumble dryer had been faulty. It was a different make from the one I have discussed. She returned the machine and was offered £100 and a new machine, but that machine was faulty. This product seems to have endemic issues.

I hope Members will forgive me if I dwell a little more on an issue that has bothered me a great deal since being elected: the apparent ineffectiveness of regulators. For example, Ofgem constantly failed to take on the electricity markets, which were obviously broken, and I have found Oftel to be generally unresponsive to the wireless telephony and broadband connectivity issues of my rural constituents. The list goes on. The debate is not about that, but I am concerned that the new office could be another ineffectual regulator—toothless, ineffective, and sometimes even, sad to say, supine—instead of a body that the Government, and us as parliamentarians, have put good faith in to defend the best interests of people.

In some cases, regulators fail not because they do not have enough power but because they lack the will and suffer from organisational atrophy that causes inaction.

The regulator in this field, the OPSS, must not fail. If it does, there is the possibility of lives being lost—actually, that is beyond a possibility; it is a fact—consumers being ripped off with faulty goods, and untold damage being done to property.

The situation regarding Whirlpool, which I have already mentioned, is one in which our Select Committee expected action on the part of the company. To our knowledge, that has not been forthcoming. Its actions have been inadequate. Instead of responding to the concerns that we raised with it and those of my constituents and others who have raised issues with me that I have passed on, it has resisted action and, in my view, done the bare minimum that it can get away with. An activist regulator would put paid to the inaction, and a test of the ability of the new regulator will be how it pursues this. It is essential that when questions are raised about products, companies act transparently. That is what we would expect, and what we would expect a regulator to insist on.

I look forward to hearing the Minister’s response to the debate.

Several hon. Members rose—

Sir David Amess (in the Chair): Order. I was remiss in not saying anything at the start. This is a heavily subscribed debate, so to be fair to one another, colleagues should take about five minutes at the most, before the winding-up speeches start.

2.51 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): It is a pleasure to see you in the Chair, Sir David, for two reasons. One is that you are a fellow West Ham supporter. They have survived in the premiership for another year, so you will obviously be in a good mood. Secondly, as chair of the all-party parliamentary group on fire safety rescue, you take a keen interest in these matters yourself, so it is good to see you here and following the debate as closely as you are.

It is a pleasure to follow the hon. Member for Stirling (Stephen Kerr). He made another of his trademark thoughtful speeches, which he is becoming known for. I am delighted to welcome the Minister to his position. He arrives with a fair wind. He is held in regard across the House and much is expected of him, so we are all looking forward to his response to this debate, which will be my first experience of his winding up.

I congratulate my hon. Friend the Member for Swansea East (Carolyn Harris) on securing the debate and on not taking undue time in opening the debate, as some colleagues in these debates do. She has left lots of time for the rest of us to contribute. I also congratulate her on so ably chairing the all-party parliamentary home electrical safety group and leading us on this issue so effectively. She has been so well supported by our hon. Friend the Member for Hammersmith (Andy Slaughter) on these issues. I will try to keep to your time constraints, Sir David.

I thank Electrical Safety First, the Chartered Trading Standards Institute, Which? and the London fire brigade for all their efforts in this area and for their briefings. Like the previous two speakers, I look forward to the Minister’s response, as well as the Opposition speeches. The tone of the briefings that I have received is best
described as positive and welcoming but with a sceptical edge, and I think that the simplest thing I can do is to quote from the material with which I have been supplied.

The Chartered Trading Standards Institute asked two main questions. How would the OPSS add to the current market surveillance and enforcement functions to improve the system and, if there was a repeat of the recent white goods scandal, how would the office support local authority trading standards to ensure that the system was robust in protecting consumers? I am sure that the Minister has all these briefings and will be well prepared to respond to them.

The first two points made by Electrical Safety First in its briefing are that the charity welcomes the debate and the newly established Office for Product Safety and Standards, as it represents a key opportunity. It says that, “the OPSS is fundamental to creating better cross-government co-ordination”.

Then it asks a number of questions. On product recall, it states: “Through collaboration with stakeholders there must also be significant effort to improve product registration”.

With regard to online retail, it says that, “consideration should be given to bringing forward additional legislation”.

On counterfeit electrical goods, it says: “This issue must be looked at closely”.

On data collection, it says that, “product safety in the UK is fragmented and incomplete.” And it says that an injury database is “Key to an effective intelligence system”.

That is hardly a ringing endorsement, but Electrical Safety First is more upbeat than Which? is.

Which? is probably the most sceptical. It states: “Which? welcomed the Government’s recognition that the product safety system needs to be fixed. However, the announcement of the OPSS falls short of the full overhaul the product safety system so desperately needs...Which? is calling for fundamental reform that stops unsafe products from reaching UK households.”

It reminds us of the history, as referred to by my hon. Friend the Member for Swansea East (Carolyn Harris) for initiating the debate and for her expertise on the matter.

Much is expected of the new Office for Product Safety and Standards, and certainly the fanfare from Government is that this is a positive step forward. It should be and very well could be. I look forward to the winding-up speeches from the Opposition spokespersons, but this is, more importantly, an opportunity for the Minister to explain how the new office will help and what he expects it to achieve. I am very grateful for the opportunity to have contributed.

2.56 pm

Andy Slaughter (Hammersmith) (Lab): It is a pleasure to follow my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) and to serve under your chairmanship, Sir David. I will not repeat what my hon. Friend said, except to say that we are all grateful for the expertise and support that we get in trying to deal with these issues, for your involvement over time and for the Select Committee’s involvement now.

It is probably right to say that the announcement of the new office was rather subdued. I think that it came at the weekend; we were all expecting an oral statement and at least some explanation of its role, but we have had to wait really till today to address that matter. I am grateful to my hon. Friend the Member for Swansea East (Carolyn Harris) for initiating the debate and for her expertise on the matter.

We know what needs to be done. We had the Lynn Faulds Wood report two years ago. We had the Government’s own working party report. We have had much expert advice, including from the London fire brigade, Which? and Electrical Safety First. The difficulty is that not much is happening. There is a fear—if I can be blunt with the Minister—that this is really window dressing; it is simply a way of being seen to do something. We are told that it is a new office and has additional funding—£12 million. Can the Minister confirm, first, that that is additional money? Secondly, I think that that is when it is fully operational. When will the office be fully operational in that way? Its remit appears to be quite limited. It appears to be mainly the same people doing the job, and it appears to have the same limitations because of the reliance, still, on the local network of underfunded trading standards organisations.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): Perhaps I can put the hon. Gentleman’s mind at rest. I can confirm that we are talking about £12 million of additional resources for the Office for Product Safety and Standards. In this first year, we envisage there being an additional spend of approximately £9 million; that is as it staffs up and gets itself ready. But there will be £12 million of new money, in addition to the work that the officials have already been doing within the Department for Business, Energy and Industrial Strategy.

Andy Slaughter: I am grateful for that answer. Perhaps, because of the limited time, I will limit myself to making one point. Will the new office pass the Whirlpool test? Whirlpool is untypical in some ways, because one particular design fault has affected 5.5 million tumble dryers; I think it was estimated that one in six homes in the country are affected. That is not the only problem with Whirlpool. We have also had the issue that led to the Llanrwst inquest and the sad, tragic deaths there.
The Whirlpool reaction has been extraordinarily unhelpful. If the office can deal with Whirlpool, it can probably deal with a number of other issues.

I remind Members that over 12 years a number of different brands manufactured tumble dryers that were liable to catch fire and did in many hundreds, if not thousands, of cases. The concentration was initially on the slow speed at which they were repaired or replaced and then the fact that half of them were not identified at all. That threw up the lack of a registration or recall process. Whirlpool persistently resisted a recall or even giving the correct safety advice. That is bad enough, but through Which? and the BBC’s “Watchdog” programme—which has done an incredible job in exposing this negligent behaviour by Whirlpool and is now being broadcast weekly—we have discovered that that was not the only problem.

The replacement and repaired machines were themselves faulty and large numbers of them are now catching fire. We could well be back where we were, except for the fact that people have been lulled into a false sense of security in the belief that they now have safe goods in their home when they often do not. How does the Minister intend to approach the Whirlpool issue and learn from it? Will we have a proper registration process? Will we have a clear database of products that are at risk and are recalled? Will we insist on recall, rather than this rather botchy repair method? Will that be within the remit of the new office?

Finally, we are coming up to the first anniversary of the Grenfell Tower fire, which we are dealing with on a daily basis. It was started by a particular type of fridge freezer. If the Minister cannot answer this question now, I would be grateful if he would write to me. I have had contradictory answers from his Department and the Ministry of Housing, Communities and Local Government. When will we get a verdict on that? Is it coming through the police inquiry or his Department? When will we know exactly which fault caused that fire? We know it is in a particular model of fridge freezer, but we need to know more, because if there is a further risk, it needs to be demonstrated and publicised.

3.2 pm

Yvonne Fovargue (Makerfield) (Lab): It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to follow my hon. Friend the Member for Swansea East (Carolyn Harris). It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to serve under your chairmanship, Sir David.

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3.2 pm

Yvonne Fovargue (Makerfield) (Lab): It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to follow my hon. Friend the Member for Hammersmith (Andy Slaughter) who has done so much work on this issue. I congratulate my hon. Friend the Member for Swansea East (Carolyn Harris) on securing this debate.

Like everyone, I welcome the establishment of the Office for Product Safety and Standards, but it needs a role for consumers as well as businesses. Consumers need to be front and centre in this. I will not go into the Whirlpool affair, which has been dealt with, although I hope lessons will be learned from that. I would like to know, however, what support will be given to trading standards. We have heard about the Peterborough problem. Will there be a centralised team under the national trading standards remit on product safety? That seems like a good way of working.

I want to concentrate on the recall register. How will consumers know about it? If I had time, I would do a little test and ask people if they could tell me the model number of their fridge, freezer and washing machine—apart from the make—because I could not. Where are these numbers? Usually they are at the back of machines in completely inaccessible places. If there are fitted units, the whole cupboard has to be taken apart to get to the model number. What is the point of publishing a register of model numbers that most people do not have a clue that they own? How will we get around that one?

What about people who are not on the internet? How will they know about a recall? Surely, the way to do it would be through a register at the point of sale that would only be used in the case of a recall. It should be given to the manufacturer with strict instructions that there is to be no marketing or contact unless there is a recall. If the machine is sold on, online traders who deal with it, such as eBay, Amazon, Gumtree and Shpock, could also register who it is sold on to. That would get around the fact that we cannot get to second-hand goods or the people who sell them. We know that few people fill out registration cards, because they are frightened of getting marketing calls all the time.

It is illegal to sell second-hand and fake goods subject to recall in the US. I do not see why we cannot have some form of legislation on that here. We need to tighten up the online platforms. I do not want to stop the sale of second-hand goods, I do not want people to be forced to go to BrightHouse—heaven forbid—as the only place they can buy these goods, but they have to be safe. The online platforms must be made responsible for the goods. They are not simply equivalent to landlords who let a shop that sells goods. They are considered to be the same as the sellers. People who buy from Amazon Marketplace consider that they are buying from Amazon and are covered by that. That applies to fake goods as well. They are equally responsible for the sale of fake goods, which all too often cause fires. Fake chargers, fake hair straighteners and all the fake goods sold on such websites are the responsibility—I would say—of the people who provide the platform for the sellers. The minimum they should do on recall is highlight that there is a recall. When it comes up and somebody is looking at white goods, a warning should flash: “These products have been recalled.”

Finally, will we still be in the European rapid alert system for dangerous non-food products, or Rapex, after this? It is important we co-operate with Europe, as many of the goods are European.

I welcome the establishment of an office dedicated to product safety, but the devil will be in the detail. When will it publish its action plan? When will it publish its priorities? Will there be a timeline for these priorities? Will consumers be at the front, centre and heart of this office?

3.6 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): It is a pleasure to serve under your chairmanship, Sir David. It is a pleasure to follow my hon. Friend the Member for Makerfield (Yvonne Fovargue) and to speak in this exceptionally important debate, secured by my hon. Friend the Member for Swansea East (Carolyn Harris).

Since the Health and Safety at Work etc. Act 1974, product safety has been the difference between life and death. According to the consumer magazine Which?, faulty goods can cause as many as 3,120 fires a year. That is 60 fires a week or one fire every three hours. Since the Health and Safety at Work etc. Act 1974,
Britain has led the world in workplace and consumer safety. High standards have ensured that we can live and work safely without risk of death or injury in our daily lives. British safety has been a global success story, with our standards adopted across the middle east, Asia and the Commonwealth. It is right, therefore, that we welcome the introduction of the Office for Product Safety and Standards as the next step in ensuring that product safety in the UK remains world class, that it is placed right at the heart of the economy, and that we avoid any sense of a race to the bottom on regulatory standards.

To do that effectively, as well as all the actions mentioned by my hon. Friends, the Government need to take a couple of extra actions as well. The Office for Product Safety and Standards must be properly financed, resourced and staffed. I welcome the £12 million that the Minister has already mentioned. The motto at the heart of the office must simply be that safety cannot be done on the cheap. The Government must provide the resources to allow it to attract the talent that it needs in order to be effective in maintaining and reinforcing the high-quality regulation that exists for consumers.

The points raised by all my hon. Friends are absolutely crucial in dealing with these problems with white goods and electrical safety. Having a new office gives us an opportunity to expand its remit and include workplace safety items as well. A company called Arco, based in my constituency of Hull, supplies health and safety equipment and services. It tells me that it has seen worryingly levels of non-compliance in a wide range of workplace safety items, including things such as high-vis jackets and non-steel toecap boots. It has carried out some tests on some of these products in a laboratory in Hull. It has revealed that up to 50% of boots containing steel midsole protection on the consumer market are actually made from brittle or mild steel, which is subject to corrosion. Many of these products have passed the CE branding procedure at the test stage, but they simply do not protect employers or consumers to an adequate standard.

We all know that protective equipment is often the last line of defence for consumers and workers against serious injury or fatality, so I think the Office for Product Safety and Standards should expand its remit to reflect this urgency. The Government should also act to give a new legislative footing to products and workplace safety that is fit to meet the evolving challenges of product safety, reflects the concerns of the industry, and gives the office real teeth to make it really effective. Product safety and standards are one area that all of us, regardless of party, can get behind. We all want to see consumers protected and safety promoted. I hope that the new Office for Product Safety and Standards can be a resounding success, which it will be if the Government follow all of the recommendations mentioned in the debate.

3.9 pm

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I congratulate my hon. Friend the Member for Swansea East (Carolyn Harris) on securing this debate on the new Office for Product Safety and Standards and on the powerful case she has set out.

The Minister may know that my interest in these issues stems from my constituency's historical links to white goods manufacturing. I am very proud of our legacy. Hoover, washing machines, dishwashers and even the Sinclair C5 were all made in my constituency. Secondly, I am a member of the all-party group on home electrical safety, chaired by my hon. Friend. I want to focus my brief remarks on three issues—communications with the public, old white goods and elderly electrical products being sold online, and support for trading standards in Wales.

I have seen the briefing from Electrical Safety First that was distributed to hon. Members before this debate, and I am grateful for it. I welcome, as other Members have, the creation of the OPSS. I see it as protecting consumers from electrical hazards, particularly fires caused by white goods. As Electrical Safety First states in its briefing, “there needs to be expansion of government campaigns on electrical safety in the home throughout the year.”

I very much agree with that statement when I look at the fires caused by white goods in homes and those who are affected.

Some 1,719 fires in Wales were caused by an electrical source of ignition last year. In the past three years, according to the South Wales fire service, 43 fires were caused by tumble dryers and washing machines, with over 50% of those instances attributed to Hotpoint, Indesit or Creda machines. Seven of those 43 were in my constituency. Will the Government consider a consumer campaign on fires caused by white goods targeted at vulnerable families who might buy cheaper white goods online and in marketplaces, some of which may be recalled or second-hand, with unsuspecting consumers not even being aware of their recalled status?

Many people used to buy products specifically manufactured in the UK, stamped “made in the UK” or “made in Great Britain”, because they were often seen as a trusted product. As I have mentioned in previous debates in the House, many manufacturers, including Hoover, decided to send production overseas and now import electrical goods into the UK. We need to look closely at online platforms such as eBay, Amazon, Gumtree and Facebook that allow, without any regulation or enforcement, second-hand and in particular very elderly electrical products to be sold, as my hon. Friend the Member for Merthyr Tydfil and Rhymney (Gerald Jones) has outlined. What will the new office do with the online platforms that allow the sales of very elderly electrical goods to the public? Is it right that old electric heaters and washing machines from the 1950s, 1960s and 1970s should be allowed to be sold to the public via sites such as eBay as safe to use? I do not believe that should be allowed. Furthermore, manufacturers should take action to prevent their very elderly products from being sold online and work with the likes of eBay, Amazon and so on. What plans does the new office have to look at second-hand electrical goods sales?

Second-hand goods and recalled products being sold online or in marketplaces need proper enforcement. Information from the Welsh Local Government Association shows that owing to austerity and the pressures placed on local councils, regulation activities were cut by 47% in the past five years, which includes trading standards responsibilities. As the WLGA suggests, there is a loss of expertise and ability to enforce electrical product safety, particularly in the most vulnerable communities, which is potentially where the cheapest electrical goods would be bought and sold. Will the Minister agree with...
me that the new office—this also addresses the concerns raised by my hon. Friend the Member for Leeds West (Rachel Reeves)—needs to support local trading standards on the ground to ensure proper market surveillance of the sales of electrical goods in the community? I refer not only to old products, but to new, particularly dodgy mobile phone chargers and e-cigarettes, which the WLGA says that trading standards departments get the most complaints about.

I hope that the Minister will look closely at those issues and ensure that the new office works for the most vulnerable consumers who need to be protected from dangerous electrical goods in their communities. I look forward to hearing the views of the Minister on what has been done and what further he can do to address the issues and offer reassurances.

3.14 pm

Tulip Siddiq (Hampstead and Kilburn) (Lab): I thank my hon. Friend the Member for Swansea East (Carolyn Harris) for securing this important debate. I congratulate her on raising this important issue, which matters to so many of us and our constituents. Also, a bit cheekily, I take this opportunity to congratulate her on her recent election as deputy leader, although I am not sure whether that is allowed.

The move to establish a new Office for Product Safety and Standards is welcome, but I will echo a few of the things that my hon. Friend the Member for Makerfield (Yvonne Fovargue) has said about how there will be only limited improvement should the Government fail to establish an effective product register site for all UK recalled products.

I am part of a group of mothers in my constituency who often talk about how we keep our babies, toddlers and newborns safe. We are usually awash with information about the best nappies to use, whether to use formula or breastfeed, and which car seat should be used, but one of the things that we struggle with is finding out which products that we use for our newborns should be recalled: for example, tumble dryers, which most of us use; baby monitors, which are often fitted to the cots that children sleep in or are at least in their rooms; or bottle or milk warmers that in the past have been recalled, which we do not have much information about.

If we want to find out information about those products, we have to go through individual websites to try to find out which one is faulty and which one we should use, at the same time as trying to look after our young children, which is not the easiest of things to do. We found out that the communication from manufacturers about faulty products is simply not good enough. In a consumer survey carried out by Electrical Safety First, only 21% of people said that they had ever responded to a product recall, and 47% had never even seen a recall notice. That is certainly the experience that I have had, along with the constituents that I am speaking about.

Manufacturers often fail to be clear about what dangers their product poses. If they said more clearly what accidents, deaths and fires were linked to the product that they have recalled, more people would act on the recall notice. In fact, in a survey, 77% of consumers said that if they knew what exactly was wrong with the product that they were using and what dangers it could pose to them and their families, they would be more likely to take the product recall notice seriously.

It is shameful that recall success rates are rarely more than 10% or 20%. If we sincerely want recalls to be successful where necessary, we should not leave it up to consumers to hunt through thousands of websites to find out information. It is not reasonable to expect new parents who are already dealing with newborn children to check every website of every manufacturer from whom they have ever bought a product. My hon. Friend the Member for Makerfield talked about how many people actually know the product’s serial number or what is on the back of every product that they have bought: what make it was or in what year it was bought. It is simply not possible for consumers to have such information at their fingertips.

We must make sure that consumers are equipped with information about the products they have bought to ensure that they can keep themselves and their families safe. Will the Minister agree that it is vital that the OPSS outline the detail behind its commitment to establish a single national database for UK product recalls? In particular, we need to know what resources and funding the OPSS will have to publicise the site’s existence. After all, we know that public awareness is key to successful product recall.

3.18 pm

Jim Shannon (Strangford) (DUP): As always, it is a pleasure to speak in a Westminster Hall debate. Sir David, I congratulate the hon. Member for Swansea East (Carolyn Harris), who always speaks with a real passion and belief in what she says. I commend her for that. I always look forward to debates that she is involved in. It is because of that that we have this debate and are able to speak in it, so I thank her for that. I also thank all the hon. Members who have made contributions and the Front-Bench spokespersons for the Scottish National party and for the Labour party who will speak later. I believe their contributions will be significant as well. I am sure that the Minister, who is taking notes, will take on board Members’ questions and concerns, and I hope that we can obtain some reassurance from him as to how things stand.

I received a briefing from Electrical Safety First, a charity dedicated to reducing the number of deaths, injuries and fires from domestic electrical accidents, and I commend it and fully support it. We should note its recommendations, and the hard work that the charity does. Over the years I have debated this topic, including in Adjournment debates in the main Chamber with the hon. Member for Hammersmith (Andy Slaughter), among others, and it keeps coming back. That is because there seem to be continual problems with electrical safety. Electricity causes more than 20,000 house fires a year; that is almost half of all accidental house fires. Every year in the UK, around 350,000 people are injured through contact with electricity and 70 people are killed.

An example, if anyone needs a reminder, of what electricity can do when it goes wrong, is the Whirlpool case. I spoke in the debate on that matter obtained by the hon. Member for Hammersmith. I remember the debate well, and the issue even better. Afterwards I learned from one of my constituents who had such a dryer that she had been told to stay in and watch the dryer when it was in use. I nearly fell off my chair when I heard that. It is an unusual and strange thing to say: “Don’t watch TV; watch your dryer.”
Andy Slaughter: The hon. Gentleman is making a good point. What alerted me to the issue in the first place was a serious tower block fire in Shepherd’s Bush, two years ago, when the victim was watching—she was in the same room as the fire and did everything right, including unplugging it. It still completely destroyed her flat, and Whirlpool would still not change their advice about using the machines, until they were threatened with legal action.

Jim Shannon: The hon. Gentleman has been a warrior on these issues and speaks well about them, and what he said illustrates the point. “Watch your dryer”—my goodness, watch it as it burns and the house catches fire. It will be too late then, but that is by the way.

I thought that what was happening was not the way to handle an electrical safety unit, and I am pleased about the setting up of the Office for Product Safety and Standards. There has been no long-term strategy to tackle fires caused by electricity in people’s homes. At present, only the Electrical Fire Safety Week held in November each year—we all go along—exists to provide a concentration of communication to the public from Government. Communication campaigns such as the Home Office’s “Fire Kills” campaign have been under Government review for some time. Perhaps the review is coming to an end; I hope so.

Electrical Safety First believes that Government campaigns on electrical fires must be expanded. There should be more advertising, probably on television, and through councils, and more safety measures should be taken. An average success rate of 20% of products being recovered or repaired means that millions of potentially dangerous products remain in people’s homes. We may not know it but we might have such things in our own homes. The hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones) mentioned phone chargers, and it is an important point: teenagers laugh if their phone charger, or even earphones, catches fire, but those incidents are not reported. Teenagers do not know where to report them, or who to contact. It is easier to buy a new one, which is probably what they do. They discard the old one, without considering why the fire happened. We must realise that someone who falls asleep with their electrical products in the bedroom may not find it so funny. It is definitely not a funny matter.

Clearly, consumers need confidence that the Government are taking appropriate action to protect them, particularly given that five fires a day are caused in the UK by white goods alone, and in view of the dangers posed by counterfeit electrical goods. In her opening remarks the hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones) mentioned phone chargers, and it is an important point: teenagers laugh if their phone charger, or even earphones, catches fire, but those incidents are not reported. Teenagers do not know where to report them, or who to contact. It is easier to buy a new one, which is probably what they do. They discard the old one, without considering why the fire happened. We must realise that someone who falls asleep with their electrical products in the bedroom may not find it so funny. It is definitely not a funny matter.

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Sir David Amess (in the Chair): Order. I commend colleagues on their excellent timekeeping, which is an example to others and has resulted in plenty of time being left for the Opposition spokesmen and, particularly, for the Minister.

3.27 pm Patricia Gibson (North Ayrshire and Arran) (SNP): I am pleased to take part in a debate with so much consensus, which does not happen often. I thank the hon. Member for Swansea East (Carolyn Harris) who has done a power of work on the issue and continues to champion the cause, as we all recognise. I thank the consumer organisation Which? for providing an excellent briefing, as has Electrical Safety First.

The Office for Product Safety and Standards is welcome, of course, as we have heard from a number of Members. As the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) pointed out, it is important as a way of strengthening our product safety regime and making sure that customers are aware of and, importantly, can have confidence in the availability of an effective system, that should products need repair or replacement. However, caution is required about the impact. In its report the Business, Energy and Industrial Strategy Committee regretted the Government’s limited response, and the lack of urgency about acting on recommendations to address product safety issues. It found that reductions in funding for local trading standards and national trading bodies were having the negative effect that might be expected on the adequacy of the existing product safety system.

That finding, combined with the fragmentation of the current system, makes it difficult for consumers to have confidence in the consistent enforcement of the required standards across the UK. We have heard today of responses from the manufacturer Whirlpool to a defect in its tumble dryers, which clearly show the limitations of the existing system. Indeed, as a direct result of its slow response, 1 million homes still contain potentially dangerous appliances, as set out by the hon. Members for Leeds West (Rachel Reeves), for Merthyr Tydfil and Rhymney (Gerald Jones) and for Hammersmith (Andy Slaughter), who explained the dangers that have dogged consumers who have those machines and has, of course, been a champion in the area in question.
There is no doubt that progress in improving the safety of electrical goods has been too slow. I suspect that the Minister would probably agree with that, in his quieter moments. That is despite a wide-ranging set of recommendations, made in Lynn Faulds Wood’s independent review, published two years ago. That review, which had a national product safety agency as its central recommendation, concluded that that was needed as part of a long-overdue overhaul of the entire system. All hon. Members welcome the new Office for Product Safety and Standards, but as we have heard, it must have sufficient scope and resources to deal with issues of product safety across the UK.

Stephen Kerr: Despite what I am about to say, I do not wish to introduce a tone of discord, but I was distressed last week when, in the Scottish Parliament, our First Minister, Nicola Sturgeon, answered a question from Miles Briggs MSP regarding genuine concerns about the safety of babies being permitted to sleep in baby boxes. The response she received did not indicate to me that the First Minister shares any kind of genuine feeling for the fact that people are sincerely concerned about product safety and baby boxes.

Patricia Gibson: That question is a bit leftfield, but I am happy to take it head on.

Stephen Kerr: It is about product safety.

Patricia Gibson: If the hon. Gentleman googles the Scottish Cot Death Trust, he will find that it has no concerns about baby boxes. However, if cardboard is set alight it does catch fire—there is a revelation for the hon. Gentleman—and the trick is not to light matches around cardboard. That is probably the safest thing for a baby.

As I was saying, the Office for Product Safety and Standards must be given sufficient scope and resources to deal with issues of product safety. It must be independent and have real teeth to protect consumers and prevent dangerous products from doing them harm. The Minister will be interested to hear that the consumer organisation Which? has expressed concern and disappointment that the full overhaul and fundamental reform needed to stop unsafe goods from reaching or remaining in our homes does not appear to be on the table. Disappointingly, it seems that the new office has not engaged with consumer organisations such as Which?, which I am sure the Minister would agree has some standing and calibre. I wonder why that is, and how consumers would view that lack of engagement. What does it mean when an organisation of such status cannot get the new office to engage with it? Perhaps that is something the Minister could unblock.

It seems a missed opportunity that the Office for Product Safety and Standards will apparently not address the systematic weaknesses in the existing enforcement framework, as set out by Which?, and it seems that there is no action plan for the new office—which? has expended considerable effort in trying to elicit such a plan, but without success. This matter is fairly straightforward because we all know about the ongoing failures in the product safety system, and recent product safety issues have brought into even greater focus questions about the adequacy of the current regulatory and enforcement system in the UK. There are concerns about a lack of effective co-ordination and direction in the new office, and if local authorities have no regulatory enforcement staffing resource, that might be a big problem. We know how under pressure trading standards officers are locally, and their role is extremely important for safety in our communities.

The OPSS must also consider product recall as part of its strategy—as the hon. Members for Makerfield (Yvonne Fovargue) and for Hampstead and Kilburn (Tulip Siddiq) pointed out, product recall has an average success rate of only 20%, and potentially, millions of unsafe products remain in unsuspecting homes. It must also consider online retail, as that must be held to the legal standards that apply to other forms of retail shopping and product safety—that point was also raised by the hon. Members for Makerfield and for Merthyr Tydfil and Rhymney.

Counterfeit goods are a huge problem, and we need a way forward to counter that issue. As the hon. Member for Hampstead and Kilburn pointed out, data collection and sharing for product safety is fragmented and incomplete, and we need a true picture of the scale of the problem of unsafe goods. An injury database could be used to help collect intelligence and quickly identify dangerous products, and that would be a positive step forward.

We have the opportunity to address current weaknesses in the system and make sure that it is fit for purpose in the potentially more diverse trading environment that the UK will be part of in years to come—that point was made by the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy). We have the opportunity to introduce a new national independent regime for product safety to ensure effective enforcement, market surveillance, and appropriate standards for goods. As the hon. Member for Strangford (Jim Shannon) reminded us, getting product safety wrong will, and indeed has, cost lives.

The post-Brexit world raises challenges, and we cannot have a situation where the UK diverges significantly from the rest of the EU, as that could only be to the detriment of consumers—I hope the Minister will reassure us on that point. We all agree that the new office is welcome, but we are concerned to ensure that it has the power, resource and strategic direction to help it achieve what we all want, which is a safe environment for our consumers who buy products in good faith and have a right to expect that they are safe.

3.35 pm

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): It is, yet again, a pleasure to serve under your chairpersonship, Sir David, and I congratulate my hon. Friend the Member for Swansea East (Carolyn Harris) on securing this important and extremely topical debate. I also thank the all-party group on home electrical safety, Which?, Electrical Safety First, and the BBC’s “Watchdog”—I apologise to anyone who I may have missed, because many people are interested in this issue.

The safety and security of their citizens must be the No. 1 priority for all Governments, but in recent years we have witnessed a series of fires that have haunted the nation. The Grenfell tragedy is suspected to have been caused by a faulty fridge freezer, although, as several hon. Members have said, we are still waiting for the independent inquiry to verify that. My hon. Friend the Member for Ashton-under-Lyne (Angela Rayner) has raised with Ministers the tragic case of the Wilson family.
in her constituency. John Wilson was killed, and his wife and daughter seriously injured, in a house fire and explosion caused by a faulty fridge freezer. The model in question was known to be a fire hazard and was subject to a product safety notice. However, the family had not been informed, and the coroner found that the manufacturer had not taken sufficient steps to warn customers. Those are just some of the tragic stories.

After years of reviews and consultations, in January the Government finally announced the creation of the Office for Product Safety and Standards, a new body that will “enhance protection for consumers and the environment”.

Given its name, I was somewhat surprised when I checked its website and found that “product safety” featured at the end of its list of priorities. Indeed, when scrolling through OPSS’s social media account, there is little mention of the steps that it is taking to enhance product safety, or how it is tackling current product safety issues. I am therefore delighted to join other Members in seeking clarification from the Minister about what the scope and nature of the OPSS will be.

That the product safety regime is out of date and not fit for purpose has been evident for some time. As my hon. Friend the Member for Hammersmith (Andy Slaughter) said, only a couple of weeks ago after a widespread investigation by Which?, it was revealed that, further to previous investigations, companies such as Whirlpool are “failing to give full and appropriate safety advice when contacted about fire-risk tumble dryer models”.

That is a clear breach of Whirlpool’s legal obligations under the safety notice and could mean that it is breaking product safety law.

That investigation is part of an ongoing two-year campaign that calls for a full recall of those unsafe products. The fact that the matter has not yet been properly resolved represents an abdication of the manufacturers’ and the Government’s duties to consumers. The OPSS presents an initial opportunity to ensure that that is dealt with, but despite the Minister’s promise to get to work right away, there has been no response. I understand that the body is still new, but if that reflects how it will operate in future, that is disappointing and a far cry from what consumers need to protect themselves against faulty goods. Shockingly, 1 million Whirlpool tumble dryers subject to a safety notice are still in the homes of consumers, and I fear it is only a matter of time before the next tragedy.

I have some pressing questions for the Minister. Is the OPSS looking into the claims made by the Which? investigation, and, if so, what steps is it taking to respond to that urgent investigation? Will the Minister set out clearly the process through which this body will deal with any future investigations? I am pleased that the Government are soon expected to launch their strategy for the OPSS—my hon. Friend the Member for Hammersmith strongly expressed his views on that. Will the Minister confirm the timeline for the publication of the strategy and outline its key priorities?

Given the shambles around the product recall system, I urge the Minister to ensure that part of the OPSS’s remit is playing a key role in dealing with product recalls swiftly. More broadly, the strategy must also address how the body will work with local authorities on the ground. Since 2010, they have suffered severe cuts, as the Government’s consumer Green Paper admits. On page 57, it says that, “the capacity of Local Authorities to take national cases has reduced. Two-thirds of English local authorities have reported not having the expertise to cover fully the range of statutory duties required of trading standards teams. For example, only half of authorities now have specialist skills in e-crime, a national priority area.”

So the Government openly admit that they are letting consumers down.

Undoubtedly, the lack of resources has left trade bodies bereft of the crucial expertise they require to deal with such cases, as was pointed out by my hon. Friend the Member for Makerfield (Yvonne Fovargue). The Government’s strategy should set out how they will close the gap in the enforcement mechanisms, so that trading bodies are sufficiently supported to enforce consumer law.

I understand that work has already begun on a database of unsafe products, to which my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) eloquently drew attention. However, there is little detail about it. How are the Government conducting the database? Will we be able to see which goods have been recalled? Who will have access to the data? How will third parties be able to access the data in a responsible manner? I hope the Minister will answer those questions in his response. Furthermore, the database needs to be in place by 29 March 2019 in preparation for the UK’s withdrawal from the EU. Can the Minister guarantee that it will be in place by then?

Many hon. Members, including my hon. Friend the Member for Merthyr Tydfil and Rhymney (Gerald Jones), raised the issue of second-hand goods and online purchases. How will the Government address that important issue?

The OPSS is a step in the right direction but it does not go far enough in addressing the fundamental issue of the product safety regime. Clearly, the current regime is out of date and not fit for purpose. If we are to keep citizens safe, the Government must take firmer action now.

3.42 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): It is a pleasure to serve under your chairmanship, as always, Sir David, with your vast experience of this place. I congratulate the hon. Member for Swansea East (Carolyn Harris) on securing this important debate, and I am grateful to hon. Members from both sides of the House for their thoughtful input. The hon. Lady is a true champion for her constituency, as I know from my work on the Parental Bereavement (Leave and Pay) Bill. She has made a huge contribution to the lives of people across our country, and I commend her not only for the work that she does, but for the way in which she does it.

Let me be clear that there is no doubt about the Government’s commitment to maintaining the highest level of consumer protection. I have a wide and varied brief. As the Minister responsible for small business, consumers and corporate responsibility, I cover postal issues, competition policy and retail. I lose track of the number of things that should be on my business card, but it would not fit in my pocket if it had everything on it. I reassure the Chamber that consumer protection is of
the utmost importance, however, and if anything keeps me awake at night, it is ensuring that this country has a product safety regime that keeps us all safe. The Government’s commitment led to the first ever national technical expertise to support local authority trading standards teams in their vital work of enforcing product safety.

There were some questions about the announcement in relation to the Office for Product Safety and Standards. I put my hands up; it was my first week as a Minister. I thought it was better to get the information into the public arena and for people to be aware of it. If there are suggestions that I should have come to the House or done it differently, I take them on board. We are always learning.

I announced the establishment of the Office for Product Safety and Standards on 21 January. That announcement responded to the central recommendation made by the working group on product recalls and safety. That group was set up by the Government to advise on the practical steps that could be taken to enhance the UK’s approach to product safety. It identified a need for a national technical and scientific resource to support decision making in local authorities and in the businesses they regulate. We will deliver that national capability through the Office for Product Safety and Standards. I have high ambitions for what the office will be able to achieve, and I am determined that the capability will be established quickly.

Since establishing the office, we have taken steps to deliver improvements, which I will say more about shortly, but it might be helpful to remind hon. Members where the responsibilities within the product safety regime lie, so we are clear about exactly where we should expect the office to deliver improvements. It has not been set up to do what others are already doing or should be doing.

Businesses are legally responsible for ensuring that the products they place on the market are safe, and for taking effective action to address any issues that arise once those products are in circulation. The Office for Product Safety and Standards does not take those responsibilities away from businesses, nor does it lessen them in any way. It gives us the scope to better enforce those requirements more consistently across the country.

Day-to-day enforcement of product safety is led by local authorities, which have teams of officers on the ground across the country, as we have heard. In that role, they provide vital services, such as being a point of contact, giving advice to consumers and businesses, and leading on investigations into potential non-compliance. I pay tribute to the work that trading standards officers do across the country. The establishment of the office does not move, alter or reduce that role. Local authorities remain front and centre in the delivery of effective protections.

The office will provide additional support for those local teams, who will be able to draw on the national testing facilities, leading scientific advice and technical expertise to help them to deal with the complexity of the issues they encounter. We have heard about the challenges in relation to resource, but this is a new, additional resource of additional expertise to help and support those trading standards officers across the country.

To clarify, the new office will have a budget for new product safety activities of an additional £12 million a year. As I said earlier, the budget for the first year in operation, 2018-19, is about £25 million, which includes £9 million of additional funding. In the following year, that £9 million will increase to £12 million. Those are substantial amounts of resources. The office will employ about 290 people, of whom 180 will be existing staff and 110 will be new posts. I hope that reassures right hon. and hon. Members.

Stephen Kerr: Will the new office that the Minister is describing in great detail have the power to hold to the fire the feet of big organisations, such as Whirlpool, in favour of consumers?

Andrew Griffiths: I absolutely reassure my hon. Friend. I think he won the prize for the best pun today when he talked about the spin cycle of those large companies. I noticed it, if nobody else did, and laughed internally. Clearly, the office has to have the teeth and the capabilities to hold those businesses to account. I reassure him that it will.

Andy Slaughter: I think the Minister has said that one of the office’s duties will be to maintain a recall register. How is that progressing, and will manufacturers be under an obligation to ensure that the register is notified of all recalls?

Andrew Griffiths: I confirm that there is an obligation in place for manufacturers to notify the Office for Product Safety and Standards. I will come on to how the database will work further on in my speech.

Within the office, we are applying lessons from regulators such as the Food Standards Agency, which is a national regulator that deals with significant volumes of product incidents and provides national scientific expertise to local authorities. So we are not creating something new; we are learning the lessons from previous regulators to ensure that the office works properly. We are also applying the lessons learned from international comparators—the OECD and American counterparts—and we are in the process of building national capacity.

Through the OPSS, the Government have already led the development of a code of practice for product recalls and corrective actions, working with the British Standards Institution. The code provides greater clarity for businesses on what they should do in such cases. It also provides a framework for local authorities when they engage with businesses to support and enforce programmes of corrective action.

There was a question about how the OPSS will support trading standards officers. I can confirm that so far, more than 250 local authority officers have received training on the new code and as a result they are now better equipped to deal with incidents.

Gill Furniss: Although the Minister said earlier that there are 290 posts at the OPSS, it looks as though there is little resource in terms of extra staffing or extra funding for local trading standards officers. Is that correct?

Andrew Griffiths: To clarify, as I said before, there are 110 new posts at the OPSS, with an additional resource of £12 million; I think that is a substantial amount of money. The Government are properly resourcing what we accept is a vital facility.

As we build the office over the coming year, the Government will continue to consult on aspects of its functions and on its long-term scope. I think there has been some question about whether it should remain in the Department for Business, Energy and Industrial Strategy or be an independent body. We will consult on that and on the case for changes to its legal powers.

The hon. Member for Swansea East mentioned the work of the all-party parliamentary group on home electrical safety, and I commend that work. I have read a number of the reports and documents that it has produced, and they were helpful to me. I also pay tribute to the Business, Energy and Industrial Strategy Committee, and to the hon. Member for Leeds West (Rachel Reeves) for the work that she has done. That work demonstrates the desire to work across parties and to ensure that we get this matter right for all our constituents.

Holly Lynch (Halifax) (Lab): In the spirit of cross-party working, the Minister might remember that on 29 January he responded to a Westminster Hall debate on a petition calling for greater regulation of the sale of fireworks. In response to an inquiry from my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick), he said that, regarding the sale and regulation of fireworks, “this new body” would “—where necessary—come forward with suggestions and advice to Government.”—[Official Report, 29 January 2018; Vol. 635, c. 261WH.]

He also committed to arranging a meeting with all those Members who were interested in the regulation and sale of fireworks. Has there been any progress on that particular issue?

Andrew Griffiths: I thank the hon. Lady for that question. She has reminded the hon. Member for Poplar and Limehouse (Jim Fitzpatrick), who said that this debate was the first time that he had heard me speak as the Minister, that this is actually the second time that he has done so; that was a very useful debate. My understanding—I look to my right, at my officials—is that officials were in the process of setting up that meeting. If they have not done so, I will chase that up; it should take place, because it is an important meeting and I want it to happen.

The hon. Member for Swansea East asked what the OPSS was doing to discuss electrical fire safety with the Home Office; that is important. The OPSS is building up its intelligence-gathering capability and will use a database and evidence to help to identify and prioritise products that pose higher safety risks to consumers. The OPSS is also represented on the Home Office’s fire statistics users group and we are in regular—almost daily—contact across Government to ensure that these activities are properly joined up.

The hon. Lady also specifically mentioned online selling, which is very important. Action is being taken by law enforcement agencies against the sale of counterfeit goods at local markets and car boot sales, through social media channels such as Facebook and facilitated by fulfilment houses.

The hon. Lady mentioned the issue of Amazon giving evidence to her all-party parliamentary group. I put on the record that I understand the point she made, and I agree with her that it would be valuable for the APPG to engage constructively with Amazon. I am sure that others outside this place have heard her comment and will respond to her in the near future; she should let me know if they do not.

Existing legislation applies to online retailers and they have a responsibility for the products they sell. As we have heard, the Intellectual Property Office works closely with Electrical Safety First; I commend the work that that charity does to highlight how to identify fake electrical goods that are being sold online.

One of the reasons for creating the OPSS is to enable the UK to meet the evolving challenges of product safety by responding to the increasing rate of product innovation, the growth of online shopping and trading portals, and expanding international trade.

I was asked whether private sales—consumer to consumer, on websites such as eBay—are regulated. Consumer-to-consumer sales are not covered by the Consumer Rights Act, other than in relation to things such as secondary ticketing. However, as we have heard today, there is a current consultation—a Green Paper—that I have launched, which specifically asks whether more protection is needed in this area. If the hon. Lady would like to contribute to that consultation, I would certainly be interested in hearing her views.

Over the past three years, National Trading Standards has had a core budget of £40 million to work with local authorities to tackle harm in this area. There was also a question in relation to the injury database. The injury database was scrapped in 2002, and at present there are no plans to reinstate it. However, the OPSS is considering how to ensure that it has access to the best information, and we always keep abreast of these things and will consider the future as we go forward.

My hon. Friend the Member for Stirling (Stephen Kerr) raised the issue of regulators and their powers. The White Paper specifically asks whether regulators need more powers, so he might want to have a look at it.

The hon. Member for Poplar and Limehouse asked whether businesses will be required to notify the OPSS. I think that I have already confirmed to him that they will absolutely be required to do so.

Then there is the issue of selling second-hand goods subject to recall. Under the General Product Safety Regulations 2005, there is a requirement for sellers of second-hand goods not to sell goods that they know are unsafe.

I was asked what will happen on our exit from the EU. Of course, unsafe products will remain a serious risk. UK enforcement authorities are currently reliant on EU systems, such as Rapex, as the hon. Member for Swansea East mentioned. However, BEIS is developing new systems to enable regulators to identify new threats quickly, to mount co-ordinated and rapid responses, and to target and intercept products, including imports.

The hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) raised the issue of boots. I can tell her that safety boots are regulated under the personal protective equipment regulations. Manufacturers have a legal obligation to ensure that they are safe, and trading standards officers have the powers to act if necessary. If the hon. Lady provides me with the details, I will ask the OPSS to work with trading standards officers to look into the case for her.
What else have we had? I think that the Business, Energy and Industrial Strategy Committee has pointed out that we intend to undertake a further upgrade of the Government’s product recall website; that issue was raised earlier. We recognise that this website is important and we will put extra work into it. I hope that reassures the hon. Member for Hampstead and Kilburn (Tulip Siddiq). She mentions that mums are concerned about bottle warmers and baby seats. I would say that it is not only mums who are concerned; as a new dad myself, I know that dads are also concerned. I can correct her by saying that they are no longer called baby seats; I think they are now called travel systems. That was news to me, but we are always learning as we go, are we not?

The hon. Member for Strangford (Jim Shannon) made some very important points. I commend him on the fact that he has spoken in some 379 debates in the last year. If only our products were as reliable as he is, we would not need this new office. However, I point out to him that currently the number of questions that he has asked stands at 666, so he might want to ask another question shortly.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) mentioned Which? I think we all recognise the important role that Which? plays in consumer protection. I can confirm to her that I am meeting its managing director next week and I can also confirm that the OPSS is working closely with Which? in a number of areas and has had regular meetings with it. I hope that reassures her.

I was also asked about the Grenfell fridge. Clearly, that issue is a priority. A thorough safety investigation has taken place and I hope to be able to come forward with information for the House in the very near future.

In closing, I reassure the House that this Government take the issue of product safety incredibly seriously. We have to get this matter right for all of our constituents. As the Minister responsible, I confirm that the Department and the new OPSS will continue to engage with parliamentarians to ensure that we get it right. I thank the hon. Member for Swansea East for securing this debate.

Question put and agreed to.

Resolved,

That this House has considered the role of the Office for Product Safety and Standards.

4 pm

Sitting suspended for a Division in the House.

DWP Offices Closures: Merthyr Tydfil

[STEVE MCCABE IN THE CHAIR]

4.15 pm

STEVE MCCABE (IN THE CHAIR): I remind hon. Members that the debate is now scheduled to finish at 4.45 pm. I call Gerald Jones to move the motion.

GERALD JONES (MERTHyr TYDfil AND Rhymney) (LAB): I beg to move,

That this House has considered the proposed closure of DWP offices in Merthyr Tydfil.

It is a pleasure to serve under your chairmanship, Mr McCabe. Early in 2017, the Department for Work and Pensions announced that it intended to close many of its offices, sites and jobcentres across the UK. About 250 staff work in the DWP office in Merthyr Tydfil town centre, and they clearly make a contribution to spending in the community and our town centre. The office is well established and is close to the town centre, so our local economy would really notice the loss of this large workplace.

NICK THomas-SYMonds (TORfaen) (LAB): I have a very similar situation in Cwmbran town centre, as Cwmbran pension centre makes that type of contribution. Does my hon. Friend agree that it is economically illiterate to take such jobs out of local economies across the valleys?

GERALD JONES: I thank my hon. Friend for that intervention. I agree with his point, and will comment on that further in the course of my contribution.

Job opportunities for local people would be limited if the DWP pulls out of Merthyr Tydfil. Such a proposal goes against what I believe the Government should be doing: helping to support local communities, the local economy and local jobs. The proposed move could mean services being more difficult to access for claimants and hundreds of jobs being moved out of deprived communities, where every job counts. In 2008, the Welsh Government moved several of their Departments out of Cardiff and located one of their regional offices in Merthyr Tydfil, bringing secure jobs to the town and supporting the local economy. The UK Government would do well to follow the Welsh Government’s example in that and, if I may say, many other areas.

If the closure goes ahead, the potential loss of jobs and incomes in the town would have a huge impact on Merthyr Tydfil and the surrounding communities across the heads of the valleys.

WAYNE DAVID (CAERPHILLY) (LAB): A number of towns throughout south Wales will be affected similarly to Merthyr Tydfil. I refer in particular to Caerphilly, where the local authority has told me that retailers and businesses will be hit badly if the DWP moves its office out of Caerphilly to Treforest.

GERALD JONES: I agree with my hon. Friend. His point, similar to that made by other colleagues, highlights the fact that many towns across the south Wales valleys are in a similar position. Their local economies are supported by such jobs, and any move to remove them would be detrimental.
Jessica Morden (Newport East) (Lab): My hon. Friend talks about the valleys. Does he agree that Newport is also affected? We are very proud of the civil service jobs we have in Newport; there are hundreds at Sovereign House, the DWP office. Does my hon. Friend agree that in a drive to centralise, the Government are overlooking the importance of local jobs and local expertise from local people? That would be lost, given the travel difficulties that people are experiencing getting to Treforest.

Gerald Jones: My hon. Friend makes a valuable point. I see Newport as part of the south Wales economic area. Job losses in that community would have a similar effect there as they do in other areas across south Wales.

Nick Thomas-Symonds: To highlight the point made by my hon. Friend the Member for Newport East (Jessica Morden), I have constituents who commute to Sovereign House in Newport who will now face disrupted travel from having to go so much further to Treforest, rather than down the road to Newport.

Gerald Jones: Again, my hon. Friend makes an interesting point. I will come on to some of the travel pressures that I have recently experienced myself.

As I said, the closure would have an impact on the surrounding communities across the heads of the valleys—an area trying its best to regenerate itself amid ongoing austerity pressures, which have created a difficult financial situation for our area.

Anna McMorrin (Cardiff North) (Lab): I congratulate my hon. Friend on securing this important debate. In my constituency, in Gabalfa, the DWP office is set to close. Does he agree that such job losses take away something very valuable from our local communities? There is a lack of understanding from the Government of the transport challenges that will be faced by my constituents and many other people across the south Wales valleys.

Gerald Jones: The geography of south Wales is quite unique and people have to navigate the transport difficulties to which my hon. Friend has alluded on a daily basis. There are huge difficulties in access across valleys and from parts of south Wales to others and the transport links need to be addressed.

If the closures go ahead, they will decimate the economies of town centres across south-east Wales—town centres that are already struggling to cope. The DWP is planning to relocate staff to a site that, until last week, was known only as “north of Cardiff”. Last week, we had confirmation that it has signed a lease for a site on Treforest industrial estate. It was probably the worst-kept secret, but anyway it has now been confirmed.

In January, I and my Welsh Assembly colleague, Dawn Bowden AM, along with members of the PCS union, undertook an early morning journey on public transport to the proposed new site. It proved that to get to the new location by public transport will, for some existing employees, involve travel by train and bus, and walking a distance through a poorly lit industrial estate, which will undoubtedly be a major challenge in the winter months. The journey took all of two hours.

The site has poor access from the nearest train station along a narrow road with no pavement and my understanding is that it will have 1,700 full-time equivalent roles, but initial observations show that the car parking provision would be limited. There is a clear expectation that members of staff will travel by public transport, but it is also clear that many would find it extremely difficult to make that daily journey by public transport. Some members of staff already commute long distances to get to their workplace in Merthyr Tydfil as a result of previous DWP workforce reorganisations. Having to travel even further would, in many cases, cause hardship.

The construction of a brand-new building with a view to lowering costs seems a little confused. In many communities across south-east Wales, there is an opportunity to look at existing buildings, which would undoubtedly have a competitive financial case and retain jobs and viable office space in town centres. Alternatively, if a large employer such as the DWP pulls out of town centres, buildings such as the former tax office in Merthyr Tydfil, which closed nearly a decade ago, will remain empty and become dilapidated over time, often becoming a blight on the local community and impacting heavily on the wider public purse in the medium to long term.

UK Government offices are currently based in a number of towns in south Wales, supporting local jobs and economies. I am bound to highlight the opportunities that exist in Merthyr Tydfil. The option of retaining current jobs and having an enhanced presence is more than worthy of consideration. The current DWP office in Merthyr Tydfil is well-established and the staff turnover rate is low. Many employees have worked in that location for a long time and are committed to providing a good service to the public, and the local jobs market means that vacancies in Merthyr Tydfil are filled quickly and applicants remain in jobs. The DWP office is modern and has space for additional staff. Traffic congestion coming into Merthyr Tydfil at peak times is minimal in comparison with larger towns and cities and would mean that staff and customers would gain easy access, whether for employment or accessing the service.

I hope the Minister will comment on the concerns I have raised. Has the DWP yet undertaken an equality impact assessment regarding members of staff? DWP announced the proposed closure of Merthyr Tydfil benefit centre along with others in the south Wales area, yet, to date, local, district and senior managers state that equality impact assessments have not been completed or even commissioned. I received a letter in July last year from the then Minister for Employment, stating that an equality analysis was due to take place, so I would be extremely disappointed and annoyed if, after nearly 12 months, that had not happened. I cannot understand how the decision to close a site that provides quality jobs in such a deprived area of south Wales can be made without an equality impact assessment being carried out and its findings being considered. Surely carrying out an impact assessment on such a move is an essential first step.

An announcement was recently made that staff on fixed-term appointments in Merthyr Tydfil benefits centre will not have their contracts renewed, meaning that there will be at least 40 fewer staff by the end of the year. Yet the work will still need to be processed. Staff at the centre are concerned that current workloads will be exported to other sites, some possibly outside of Wales. They are concerned that something is being kept from them. Does the DWP have plans to close the site earlier than originally announced?
Carolyn Harris (Swansea East) (Lab): Just last week, Virgin Media announced its intention to close a flagship site in my constituency of Swansea East, with the potential loss of 770 jobs. Jobcentre Plus will be the first port of call for all of those people who will be seeking new opportunities. Does my hon. Friend agree that any attempt to minimise local access to Jobcentre Plus can only add to the fear and frustration of those vulnerable people, who are already very fearful for their futures?

Gerald Jones: I wholeheartedly agree. My hon. Friend’s point reinforces the point about having access to quality jobs and services in local communities.

The plans for the Merthyr Tydfil office have caused real concern in my community. The workforce are clearly concerned. The local and regional branches of the PCS union have raised objections. I and a number of Parliamentary colleagues from across south-east Wales have raised concerns. My Welsh Assembly colleague Dawn Bowden and many of her Welsh Assembly colleagues have raised concerns. Local traders and employers in the town are also concerned.

Although the Minister may ignore some of those concerns, I feel sure that he would not wish to ignore the concerns of the newest Conservative Association in the UK, the Merthyr and Rhydyfelin Conservative Association, which stated in March that it also objects to the relocation of those jobs. I understand that the association has written to the Minister to raise its objections:

“Merthyr Tydfil and Rhydyfelin Conservatives are against this move as we believe the 200 jobs should be kept locally and not moved down the valley. We believe this would have a negative impact on workers by increasing commuting times and adding extra travel costs which would impact their cost of living.”

The deputy chairman for membership also said:

“I believe the proposed move of the DWP office to Trefores will have a detrimental effect on the current 200 strong workforce. I am a strong believer in the idea that local jobs should be for local people hence why we have contacted the minister in a bid to get him to re-think this decision which could potentially have a wide impact on the wider economy.”

Perhaps the Minister will share his response and confirm whether he agrees with his Conservative colleagues.

I have serious concerns that such huge changes for staff and customers are being taken forward at a time when universal credit is about to be rolled out in the area. Universal credit has proved to be challenging in many other areas. For the staff to be worried about their future while dealing with a major policy change is not a constructive or a timely mix.

Will the Minister confirm whether an equality analysis has been carried out regarding Merthyr Tydfil benefit centre? The DWP prides itself on being a diverse and inclusive employer and has many disabled and vulnerable workers. As we know, the public sector equality duty in section 149 of the Equality Act 2010 requires public authorities, including Government Departments such as DWP, to consider the potential impact on people with protected characteristics when making policy decisions and delivering services. The PCS union has been vocal in demanding that a full equality impact assessment and health and safety review be carried out.

Why is the DWP ignoring the Government’s green policy, which is trying to reduce the number of cars on the road, by relocating service centres to an industrial estate with poor public transport links? Why is the DWP ignoring the Welsh Government and the TUC’s “Better jobs in local areas” campaign by relocating away from local communities to centralised locations in cities or remote industrial areas?

Finally, why is the DWP suddenly not renewing the contracts of staff on fixed-term contracts, leaving sections decimated and unable to function? Is it planning to close the site earlier than announced? I would be grateful for the Minister’s answers to those queries in the hope that he can quell some of the concern, anxiety and growing anger about the decision, which does nothing to support local town centres and economies, or to protect local jobs.

The Minister for Employment (Alok Sharma): It is always a pleasure to serve under your chairmanship, Mr McCabe. I congratulate the hon. Member for Merthyr Tydfil and Rhydyfelin (Gerald Jones) on securing this important debate.

The level of employment in the United Kingdom is at a record high. In the hon. Gentleman’s constituency, the employment rate is 70.1%—an increase of 7 percentage points since 2010. That trend has been replicated across Wales as a whole, where the employment rate has increased by 5.8 percentage points since 2010, and now stands at 73%. I know that all hon. Members will welcome those jobs figures.

It may be helpful if I explain the background to the changes in the DWP estate, which have led to this issue. In March 2018, the 20-year contract covering the majority of the DWP’s current estate of more than 900 sites came to an end, which gave us a significant opportunity to re-evaluate what we need from our estate, taking into account the impact of universal credit, the increased use of online services and the improving employment rates. It is therefore right that we reconfigure our Jobcentre estate and make jobcentres fit for the 21st century. This is not about reducing services; it is about taking the opportunity to stop spending money on empty space, so we can spend more on supporting those in need.

In July 2017, we announced our plans for the majority of sites in the DWP estate. As part of that, we announced that five sites in south Wales, all with a focus on back-of-house activities, including Merthyr Tydfil, would be moving to a new single strategic processing site from 2021. As the hon. Gentleman outlined, the current office in Merthyr Tydfil is a mixed site, with a customer-facing jobcentre and a back-of-house processing function.

I can confirm our intention is to keep the current site in Merthyr Tydfil for the next three years. Thereafter we will transfer the back-of-house staff to our new consolidated site for back-of-house operations, which, as the hon. Gentleman noted, we recently formally confirmed will be in Trefores.

Anna McMorrin: Will the Minister confirm what conversations he has had with the Welsh Government about the closure of those centres and the moving of the office to another site?

Alok Sharma: I will talk about the Welsh Government in a moment.

By choosing Trefores, we will be securing quality jobs for the next generation in an area that still lags in terms of employment rates. The hon. Lady talked about the Welsh Government, and the hon. Member for Merthyr...
[Alok Sharma]

Tydfil and Rhymney talked about following the Welsh Government. The Welsh Government recently set out their “Our Valleys, Our Future” strategy. Their ambition is to see more public sector jobs relocated to the south Wales valleys, and we believe our investment in Treforest demonstrates our commitment to that. The announcement of the move to Treforest was welcomed by Rhondda Cynon Taf County Borough Council.

Gerald Jones: Does the Minister recognise that the Welsh Assembly’s “Our Valleys, Our Future” strategy is about bringing new jobs to the south Wales valleys, not relocating jobs from existing communities, thus decimating the economies of those town centres?

Alok Sharma: Of course, the Welsh Government’s Welsh Revenue Authority has also chosen to base itself in Treforest. The DWP’s site is able to house 1,700 jobs, which is more than the number of people who are moving, so there is the potential to locate more new jobs at that site in the future. I know hon. Members are keen on that, and of course I support it.

Anna McMorrin: Will the Minister answer my initial question? What conversations has he had with Welsh Government Ministers about this move?

Alok Sharma: I have been in post for a number of months, and I personally have not had a direct conversation with my Welsh counterparts, but I am happy to write to the hon. Lady after this debate to set out the conversations that have been had with the Welsh Government. As I say, with this move we are supporting the strategy that the Welsh Government have set out for additional jobs in the valleys.

Nick Smith (Blaenau Gwent) (Lab): Does the Minister accept that those jobs are being moved from the heads of the valleys area—the north—to the south towards Cardiff? It is the area around Merthyr, and further east towards Tredegar, Ebbw Vale and Brynmawr, where jobs are needed most.

Alok Sharma: When we make changes to the estate, of course we have to take into account the impact on jobs, but new jobs in other areas will be created as a result, and it must be balanced with the savings we will get as a result of the reconfiguration of the DWP estate. That money will be ploughed back into helping those most in need.

Anna McMorrin: Will the Minister give way?

Alok Sharma: Let me continue for a little while.

In arriving at Treforest as the new site, we conducted a comprehensive postcode mapping exercise of the home locations of all potentially affected DWP colleagues. I have a set of figures for how long it will take individuals located in the five sites to reach Treforest by public transport. The latest personal travel report published by the Welsh Government—I think it is from 2013—set out that eight out of 10 journeys to work are by car. The proportion has remained broadly unchanged for 10 years. The timings I have been given suggest that the journey times will be about 20 to 25 minutes in most cases—perhaps less.

Anna McMorrin: The Minister is being very generous in giving way. Has he actually been to the south Wales valleys?

Alok Sharma: Certainly not during my time as a Minister in this role.

There is a train station at the edge of the estate, where the new site will be. We understand that the Welsh Government have ambitious plans to enhance the transport links throughout south Wales, and that they will further improve access to Treforest, which is one of their key priority areas for the south Wales metro. We will work closely with colleagues in the Welsh Government and the local council on those transport solutions.

The hon. Member for Merthyr Tydfil and Rhymney said that there is insufficient parking space at Treforest. The DWP has made provision for substantial car parking on site to complement the park-and-ride development led by the Welsh Government.

Based on current estimates, moving our back-of-house functions to Treforest will impact about 239 DWP staff in Merthyr Tydfil. As part of the move, we want to maximise the retention of DWP colleagues, along with their valuable skills and experience. To do that, we will consult fully with colleagues and trade unions and have one-to-one conversations with staff to understand the personal impact of any changes on them.

Wayne David: Has the DWP made any objective assessment of the impact that moving people out of a number of communities will have on those communities?

Alok Sharma: The question was asked in terms of the staff who will be required to move, as I said, although we did do a postcode mapping exercise. The hon. Member for Merthyr Tydfil and Rhymney also asked about the impact on claimants, but a jobcentre will continue to be located in Merthyr Tydfil—I confirm that again.

We shall seek to redeploy any staff, wherever possible, who are unable to move to the new location. We are also prepared to pay colleagues’ excess travel costs for up to three years to assist their transition. When it comes to the front-of-house staff, as I said, I reassure Members that we are committed to retaining a jobcentre in Merthyr Tydfil, so the impact on claimants should be minimal, because there will still be a jobcentre there. We are looking for alternative premises, and we want to be in the new location by the end of March 2021.

Gerald Jones: The Minister mentioned the discussions with staff and the impact assessments for those staff. Will he give us more information as to when those impact assessments are likely to take place? As I said, it would have been advantageous to the Department for that to have been done before the final decision was made—a case of the proverbial stable door being bolted after the horse has gone. Will he give us some indication of when the assessments are likely to take place?

Alok Sharma: We are talking about a move three years from now so, clearly, informal conversations will start now—that would be natural—and staff will be evaluating where they want to be located. We expect the formal process, however, to start nine months before the actual move. The reason for that is simple: individual
circumstances may change during the period leading up to a move, so we want to deal with people and their circumstances in real time.

The hon. Gentleman also raised the issue of equality impact assessments, and I confirm that we have been mindful of our equalities duties throughout the process. The hon. Member for Cardiff North (Anna McMorrin) asked me whether I had visited any of the sites. I said that I had not. I confirm that I have visited Newport jobcentre but not any of the back-office sites due to be relocated to Treforest.

The move from the existing site at Merthyr Tydfil will be a change for the Department and for our claimants and staff. By choosing Treforest, however, the DWP is making a long-term commitment to providing quality jobs in an area of need. In securing the site on a 25-year lease, we shall provide job security for our staff. We are also committed, as I said, to retaining a jobcentre in Merthyr Tydfil itself.

Question put and agreed to.

Electric Vehicles and Bicycles

4.45 pm

Steve McCabe (in the Chair): Before we begin, let me point out that this debate will now end at 17.45. I have been notified that six people want to speak, so you can probably do the maths yourselves, otherwise I shall have to impose a time limit.

Sir Greg Knight (East Yorkshire) (Con): On a point of order, Mr McCabe. Will you speak to the House of Commons authorities about whether it is possible to have the Westminster Hall monitors display the end time of the debate? That would be particularly helpful to Members when there has been a Division—or Divisions—in the main Chamber.

Steve McCabe (in the Chair): We shall look into that.

Andrew Selous (South West Bedfordshire) (Con): I beg to move,

That this House has considered take-up of electric vehicles and bicycles.

I am extremely grateful to Members across the House for their support for what I believe to be a very important debate. This is the third time that I have secured a debate in this Chamber on the take-up of electric vehicles. It is such an important issue for many reasons: electric vehicles will help us to reach our carbon commitments; they are the answer to low-cost, pollution-free motoring for our constituents; and, perhaps above all, it is essential for the United Kingdom to grasp global leadership of this key industry of the future, so that a new and up-and-coming industry’s jobs and investment will be here in the United Kingdom.

In the case of conventional vehicles, the UK is passing £5 billion from sales of conventional vehicles on to foreign economies. Partly because of how supply chains work, a country such as Germany has a significant advantage.

Julian Knight (Solihull) (Con): Picking up on the point about those conventional vehicles, although I share my hon. Friend’s enthusiasm for electric vehicles and know the importance of reaching the 2040 target, we need to bear in mind the 170,000 jobs in car making in this country. In the medium term, clean diesel—which is less polluting than petrol—should be part of the strategy as we go forward.

Andrew Selous: If we get this strategy right, there will be more than enough jobs for everyone. I am absolutely with my hon. Friend in wanting enough good-quality jobs.

In 2016 a fifth of all electric vehicles sold in Europe were produced at the Nissan plant in Sunderland. Looking forward, the United Kingdom has a genuine opportunity to capture a significant part of the global market by 2030, which could be worth an estimated £95 billion to the UK economy—lots of jobs for lots of car workers by 2030.

Mr Jim Cunningham (Coventry South) (Lab): This is a timely debate, and I am sure that the hon. Gentleman is aware of the electric vehicles made in my constituency, such as those made by Jaguar Land Rover. On the
outskirts of the Rugby constituency, we have the black cab makers, which have made some tremendous advances. The hon. Member for Solihull (Julian Knight) mentioned that we need a transitional period for diesel engines and, unless we get a proper transitional period during which to make the transfer from diesel to petrol or whatever clean fuel, there will be a lot of concern in our area about jobs.

Andrew Selous: I understand the concerns. However, if Members for constituencies that make conventional vehicles will bear with me, by the end of my remarks they will be optimistic about there being more than enough jobs for everyone.

Bringing forward the electric vehicles target to 2030 from 2040 would enable the United Kingdom to reduce our oil imports by almost 50% by 2035, saving £6.3 billion annually. Paris banned fossil-fuelled vehicles from the city centre and air pollution fell by 40%. Second-hand conventional diesel cars are losing a lot of their value, but it is possible to upgrade the batteries on electric vehicles. The key point for a lot of our constituents is that electric vehicles should be cost-competitive with petrol and diesel cars by 2022. At the moment, their running costs are already lower, but up-front cost parity is expected to come as early as 2022. That will be a huge tipping point for our economy.

Sir Greg Knight: I believe we should always embrace new technology while cherishing the past. Does my hon. Friend accept that, for people like me who have a journey of more than 220 miles to undertake, for the moment at least, an electric vehicle is not an option?

Andrew Selous: With some of the new chargers, an electric vehicle range of 300 miles is entirely possible. At the moment, I agree with my right hon. Friend. But if we play this right it will not be long before he will be able to motor up to East Yorkshire in comfort in an electric vehicle.

Nissan claims that by 2030, widespread adoption of a vehicle-to-grid service could save consumers up to £2.4 billion in reduced electricity costs. I am impressed by some of what the Government have done so far, but the 2040 target is too far out. We need to be bolder. The target for Scotland is 2032; for China, it is 2030; for Germany, it is 2030; for India, it is 2030; for Austria, it is 2030; for the Netherlands, it is 2025; and for Norway, it is 2025. I want the United Kingdom to be a world leader. The Government need to signal their intent to be at the front of the pack and not a best of the rest person.

Julian Knight: Bringing forward the 2040 target will destroy the new car market, because no one will spend £50,000 on a Land Rover if they think it will be worth peanuts in five or eight years’ time. That is simple economics. I caution my hon. Friend that it is great to have the ambition, but setting an arbitrary date before 2040 would be a grave mistake.

Andrew Selous: I have to very respectfully disagree with my hon. Friend. I bow to no one in my defence of high-quality British jobs. I absolutely accept the anxiety, but we can sustain those conventional jobs. Very soon, there will be so much pent-up demand for electric vehicles that the car workers in his constituency, and that of the hon. Member for Coventry South (Mr Cunningham), will not be able to keep up with the demand for these new energy vehicles—as they are called in China—from our constituents when we reach that 2022 tipping point. It is the obvious thing for our constituents to do.

The transport sector is now the largest source of carbon dioxide in the country. Emissions in the transport sector went up in 2017. If we bring forward the 2040 date, that would address a large part of the gap to which the Committee on Climate Change has drawn our attention.

We need to make huge progress in the fleet sector, and we can do that now. There are about 25,000 central Government fleet vehicles in the UK. The Government say a quarter of those should be electric by 2022—that is a much less ambitious target than India and China have announced for their fleets. Let us go for a 100% Government electric vehicle fleet by 2022, including those run by local councils. We have a long way to go; only two of the Ministry of Justice’s 1,482 vehicles are electric. Let me praise Dundee City Council, which has 83 electric vehicles—the most of any UK local authority. It has also brought in a charging hub for the public and taxis, with four 50 kW and three 32 kW chargers. Well done, Dundee.

There is the serious issue of company car tax. There is a lunatic progression: at the moment, the rate of company car tax for zero-emission vehicles is 9%, which is due to rise to 16% before going down to 2%. Let us get it down to 2%; let us signal our intention, not make it worse for the area that we are trying to encourage.

We should be ambitious on sales targets. Let us go for 15% by 2022, 45% by 2025 and 85% by 2030 and get on with electric charging infrastructure.

Stephen Kerr (Stirling) (Con): My hon. Friend is making a very good point. We have the objective for 2040—I agree that it is not very ambitious compared with other targets that we could have set—but we do not have any adequate milestones to get us there. My hon. Friend has laid that out, and that is exactly what the Government need to do.

Andrew Selous: I have great confidence in the Minister. I think he gets it, and I am genuinely trying to be helpful to make sure that Britain is a world leader in this important industry of the future.

I said that this is the third debate on electric vehicles, but we are making history today, because I am informed that this is the first House of Commons debate on electric bicycles. Hon. Members who have read their Order Paper carefully will have seen that the debate is also about the take-up of electric bicycles. Most people probably do not know anything about them. Six weeks ago, I knew nothing about them, until I was asked to chair a meeting of the all-party parliamentary cycling group—I am delighted to see my co-chair, the hon. Member for Brentford and Isleworth (Ruth Cadbury) in the debate. I found out about them and I was lent an electric bike for 10 days or so by the Green Commute Initiative, for which I was very grateful.

In my constituency, I live on a hill. I cycle with a conventional bike in London, but at the grand old age of 56, I found that extra boost helped me to get to and from my constituency office on a daily basis, and on one
day twice. With my electric bike, I took more exercise that week than I have probably taken all year. That is the thing about electric bikes: they open up cycling to older people, and people who are anxious about ability or fitness, people wanting to arrive somewhere sweat-free when there are no workplace shower facilities. They can deal with carrying luggage and shopping; even commercial cargo is easy on an e-bike.

**Tracy Brabin** (Batley and Spen) (Lab/Co-op): I am deeply excited about electric bikes. Being a cyclist from Muswell Hill, which has a perpendicular hill, I would benefit from an electric bike. In my constituency, there is very little uptake of cycling compared with the wider Yorkshire and the Humber region. The electric bike will encourage people with disabilities, people who want to go further and not get changed and people for whom it may not be in their culture to ride a bicycle. It is a fantastic and exciting step forward. I celebrate the electric bicycle.

**Andrew Selous**: I agree with every word that the hon. Lady said. Journeys by e-bike are longer, with an average of 5.9 miles compared with 3.9 miles. Importantly, 18% of disabled cyclists own a bike with electric assistance. It is fantastic to get more disabled people cycling, too.

Let us think of all the deliveries from internet shopping; 51% of all urban motorised trips related to carrying goods have the potential to transfer to cargo bikes. I think that Sainsbury’s has six e-bikes, which I believe the Minister may have seen recently. There is a huge opportunity, although I learnt yesterday that the legislation on cargo e-bikes is confusing. We can do more.

How is the United Kingdom doing with e-bikes compared with everyone else? In 2017, we had 63,000 sales, but Spain sold 66,000, Switzerland sold 87,000, Austria sold 120,000, Italy sold 155,000, Belgium sold 245,000, France sold 255,000, the Netherlands sold 294,000 and Germany sold 720,000 in 2017. That is more than 11 times the number in the United Kingdom, so we have a little catching up to do.

What can my good friend the Minister do to help? I checked the Office for Low Emission Vehicles’ definition of “vehicle”, and I think it could include a bicycle. Let us be a little less siloed. Electric bikes have huge potential to change the way we travel for the better. They reduce congestion and pollution, and get people fitter. Let us see them in that sense and give them the recognition they deserve. Let us also recognise that the cycle to work scheme, although it is excellent, does not reach older cyclists, people who are not in work or other people who would benefit hugely from electric bikes. As with all cycling, we need to ensure that our roads are in good condition—dangerous potholes are a big disincentive to cycling whether someone uses an electric bike or an ordinary bike.

Germany offers a subsidy of up to €2,500 for the purchase of an e-bike. In France, a modest €200 subsidy for a 12-month period led to a 31% increase in sales. There is huge potential in this area, and I say to the Minister: let us be at the forefront of the electric bike industry as well as the electric vehicle industry.

**Several hon. Members rose**—

**Steve McCabe** (in the Chair): Order. If Members stick to five minutes or less, we will get everyone in. I call Jim Shannon.

5.1 pm

**Jim Shannon** (Strangford) (DUP): I will certainly do that, Mr McCabe—you have my word. I congratulate the hon. Member for South West Bedfordshire (Andrew Selous) on bringing forward this debate. I know this subject is a passion of his. I do not know very much about electric bikes—unlike the hon. Member for Batley and Spen (Tracy Brabin), obviously—so I will speak about electric vehicles.

I am going to show my age by saying that I am a “Doctor Who” fan. That takes me back a long time. Some people in the Chamber will know what that means; others will say, “What’s he talking about?” Years ago, we always wondered whether the electric cars and all the other things in “Doctor Who” would ever happen. Well, they have; they may have been a wee bit beyond our dreams back in the ’60s and the early ’70s, but that is a fact.

We must learn to rely less on petrol and diesel, and look to environmentally friendly methods of transport. We encourage people to use public transport and to car-pool. Condensing five vehicles heading from Newtownards to Belfast into one, or getting 50 cars off the road through vibrant, frequent and reliable public transport, would certainly be the most effective way of reducing carbon dioxide emissions.

**John Howell** (Henley) (Con): Is the hon. Gentleman aware that Nissan has already said that we are not being ambitious enough, that we will be overtaken by the provision of things such as electric charging points, and that electric vehicles will be here sooner rather than later?

**Jim Shannon**: I heard Nissan say that, so I understand exactly what the hon. Gentleman refers to.

The Library briefing for the debate states:

“Though concerns have been raised about the extra demand EVs will add to the electricity grid, the system operator National Grid have said many predictions are exaggerated.”

We need some reality in this debate, and I hope that we can get it. The briefing continues:

“EVs have lower emissions of greenhouse gases and air pollutants over their lifetime compared with conventional vehicles. Although EVs generally have higher manufacturing emissions than conventional vehicles, they have lower emissions from use, meaning that generally they have lower emissions than the equivalent conventional fuel vehicles.”

EVs are not a perfect solution, but they certainly are better than what we have. We should look towards them and—I say this gently—perhaps be a wee bit more positive about what we put forward.

**Nick Smith** (Blaenau Gwent) (Lab): Does the hon. Gentleman agree that electric vehicles are the answer to pollution-free travel, but that the Government need to promote that mode of travel much more effectively?

**Jim Shannon**: I agree wholeheartedly. The idea of electric vehicles is taking root in Northern Ireland. Although most electric vehicle drivers charge their car at home, there is a network of 336 public charge points across Northern Ireland, which are owned and operated by the Electricity Supply Board. More and more councils are looking to provide charging points in council-owned car parks, in an attempt to encourage people to understand that if they decide to buy an electric car, they will be able to charge it when they are out and about or away...
on their holidays. I am conscious of the time—I will keep to the limit, Mr McCabe—but perhaps the Minister will give us some idea of how we can encourage the provision of charging points. If we do not have charging points in rural areas, we cannot encourage people who live in the countryside to participate.

I commend the tax breaks that Her Majesty’s Revenue and Customs and the Minister were involved in providing. Those tax breaks, which the hon. Member for South West Bedfordshire and other Members mentioned, have incentivised businesses to be involved in electric cars. A business can get a 100% first-year allowance for its expenditure on new and unused electric vans. That is critical to making this happen, and it is important that we move it forward. That allowance applies to expenditure from 1 April 2010 for companies that pay corporation tax, and from 6 April 2010 for businesses that pay income tax.

All that is an attempt to ensure that we encourage individuals and businesses alike to take the forward step of buying electric vehicles where possible. We can do more to encourage people to look at that idea by offering non-business owners greater tax breaks on new cars for personal use. Let us encourage people by incentivising them. As the Minister probably knows already, we can do that with tax breaks.

5.6 pm

Kirstene Hair (Angus) (Con): It is a pleasure to serve under your chairmanship, Mr McCabe. I thank my hon. Friend the Member for South W est Bedfordshire (Andrew Selous) for bringing this worthy issue to the Chamber. I declare an interest as chair of the all-party group on fair fuel for UK motorists and UK hauliers. People who live in constituencies such as mine, who are fortunate enough to enjoy a beautiful rural setting, know only too well that it is through careful protection of the environment that we will ensure that future generations experience similar sights. Unfortunately, pollution and climate change have come to pose serious threats to everyday life. From the poor air quality in our cities to the growing concern about plastics and the coastal erosion that affects constituencies such as mine, it is apparent that more needs to be done.

I welcome the positive steps that the UK Government have taken, but it is imperative that every member of the British public acknowledges their responsibility to reduce their impact on the natural world. To that end, the mode of transport that a person chooses could not be more important. Although the production and assembly of electric cars still generate harmful emissions, the lower pollution they produce during their lives, especially compared with their petrol counterparts, means that they should be supported alongside important interim measures such as alternative fuels, as other Members have suggested.

In 2017, there were approximately 800 electric cars across Scotland—just 0.1% of all cars registered in the country. Invariably, electric cars are likely to be confined to major cities. In Angus, which lacks the necessary facilities and impetus to engage with electric cars, we have been unable to realise the possibilities offered by such vehicles. I strongly believe that that needs to change. As was mentioned, the Scottish Government have sought to bring the target further forward than the UK Government, but I believe—excuse the pun—that they are miles behind in delivering on that target. We need clear objectives to ensure that the public get behind these important measures and know where the Government are going with them.

Alan Brown (Kilmarnock and Loudoun) (SNP): The hon. Lady is probably aware that it was announced that £160 million from the national productivity investment fund would be invested in charge point infrastructure. Does she agree that Scotland must get its fair share of that £160 million, based on its rurality and geography?

Kirstene Hair: Of course I agree. The Scottish Government also had a scheme for people who wanted to upgrade their cars, but that funding dried up very quickly. If the Scottish Government are to get fully behind this issue, they too must put money forward and engage the public to get involved.

Anna McMorrin (Cardiff North) (Lab): On that point, the Welsh Government are investing £2 million in infrastructure to get a network of rapid charging points on the major roads across Wales. We want the UK Government to make that type of investment and keep it rolling to encourage such infrastructure.

Kirstene Hair: The hon. Lady is right. We need to get infrastructure built quickly, specifically in rural areas, but also in main towns and on roads, so that people can get geared up for this transformation.

Stephen Kerr: The hon. Member for Cardiff North (Anna McMorrin) mentioned the Welsh Government, but in the whole of Wales there are only 31 publicly funded charging points. In Scotland, there are nearly 1,000.

Kirstene Hair: My hon. Friend is right. There is very much an onus on the devolved Administrations to put that infrastructure in place as swiftly as possible.

I welcome the UK Government’s decision to create the new charging infrastructure in the UK as well as facilitating greater uptake of electric cars and supporting research into charging technology. In total, Westminster has earmarked £340 million towards those endeavours, with a further £200 million promised from private bodies.

However, battery-powered vehicles are just one solution. Although less advanced, the merits and charms of the ordinary bicycle cannot be understated. From cycling to work schemes organised by schools and offices, to communal bicycle groups, more and more people are beginning to appreciate the options that exist on two wheels.

I sincerely hope that Government actions continue to foster a shift in the British public to engage with their daily commute and indeed any other commutes. By making alternative methods of travel more accessible, especially in more remote areas, we can seek a change that is beneficial to not just us but the planet as a whole.

5.11 pm

Alex Sobel (Leeds North West) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr McCabe. The take-up of electric vehicles and electric bikes is vital...
in our fight against irreversible climate change and to improve our air quality—especially in cities, given that so many of our cities exceed both EU and World Health Organisation safe air quality levels. I represent a constituency with no public electric vehicle chargepoints, which is an issue I have raised with the Minister for Energy and Clean Growth, the right hon. Member for Devizes (Claire Perry), both publicly and privately. I can now add this Minister to the list of those I am raising it with.

I want to use the debate to make public ideas that I have put to the Department for Business, Energy and Industrial Strategy, and that I now put to the Department for Transport. This is timely, following the joint report by the Transport Committee, the Environment, Food and Rural Affairs Committee, the Health Committee and the Environmental Audit Committee—I sit on the Environmental Audit Committee—which included a recommendation that,

“the Treasury introduces more ambitious measures to encourage the take-up of low emission vehicles”

and electric vehicles, including,

“a revision of Vehicle Excise Duty rates to better incentivise both new purchases and support the second-hand market.”

Those points were made brilliantly by the hon. Member for South West Bedfordshire (Andrew Selous), who did not make any points in his speech that I disagreed with.

I have ideas in six areas that would improve the take-up of electric vehicles and bikes. First, we should align Office for Low Emission Vehicles residential chargepoint grant residential funding with the Joint Air Quality Unit funding to provide a match for local authorities, to make OLEV residential funding feasible. Currently, we have very low take-up of that OLEV grant. At present, local authorities have no repayment mechanism for residential OLEV, so they need to find a matched funder. A list of potential match sources would unlock the fund. Local authorities will not currently commit their scarce funding to fund OLEV residential chargepoints; they need that matched funding.

Secondly, we should regulate the electric supply so that three-phase power supplies are included in building codes for all new homes, offices, shopping centres, public buildings and other areas where public parking is available. Only a small number of EV charge stations may then be necessary. At present, retail and commercial sites may rapidly increase the number of EV chargepoints on their premises without having to make major investments into new power supply, but power supply is one of the great barriers to increasing EV chargepoints. Further to installing wires, it would doubtless encourage take-up if we regulate so that all new workplaces—particularly those of large employers—have a minimum number of EV charging facilities on site.

Thirdly, clean air zones such as the one coming to Leeds next year are a powerful policy tool. However, one concern is that those in social grades D and E who have kept an old vehicle running are likely to be charged, and they are least likely to be able to make use of the Government’s ultra low emission vehicle grants. We could test extending the ULEV grant into the secondary market. Plenty of electric vehicles will be fleet cars, and one or two-year-old vehicles in the secondary electric vehicle market could be purchased by those in the lower earning quartiles. That should be encouraged via an extension in ULEV grants. The Government should test such a policy in areas where they are bringing in clean air zones, because that is where charging will start.

Fourthly, we should encourage EV charging more broadly. There is considerable scope for soft measures to encourage electric vehicles, which could include free parking electric vehicle-only bays on the high street, with free charging, which would incentivise those bays to be used and normalise electric vehicles among people who use the high street.

Fifthly, we should provide support for the city centre parking levy—a levy on businesses with parking spaces—to encourage a modal shift to other measures, including opt-outs for EV charging. We would put a levy on businesses, but if they put in an electric vehicle space, that space would not be charged for, to incentivise them to put in electric vehicle chargepoints.

Sixthly, on licensing and planning, we should make regulations to ensure that when granting new planning or licensing of some commercial premises over a certain size, EV spaces must be installed at a certain density per resident or parking space. This area has fallen through the gaps: we see many planning permissions across the country with no electric vehicle spaces or chargepoints. We should therefore legislate to ensure that all UK car parks with more than 50 spaces must have a minimum of one EV space per 25 spaces. Therefore, a car park with 50 spaces would have to provide a minimum of two EV chargepoints. That would be incredibly easy to implement in quite a short timescale.

Those are my immediate points for improving our EV infrastructure. I understand that we are looking at 2040, but we need a timetable. I agree that we need to look to 2030 or even 2025—the Norway model. My suggestions are not in conflict at all with deadlines or implementation dates and could be considered now. They would hugely incentivise take-up of electric vehicles.

5.17 pm

Stephen Kerr (Stirling) (Con): It is a pleasure to serve under your chairmanship, Mr McCabe. I pay tribute to and congratulate my hon. Friend the Member for South West Bedfordshire (Andrew Selous) on securing the debate and on his impressive and powerful speech. I am a member of the Business, Energy and Industrial Strategy Committee, which is conducting an inquiry into electric vehicles, so that is a subject that I could speak about for a long time. In fact, I have chosen to speak not about electric cars but about my new-found enthusiasm for electric bicycles.

I would like to tell Members about the Stirling Cycle Hub, which is an organisation that knows about how to get people on to their bikes. It encourages and facilitates cycling throughout Stirling from its base at Stirling train station. It is a superb organisation that works through the Forth Environment Link to help Stirling to pursue a greener, healthier future.

Stirling Cycle Hub has acquired a number of electric bicycles for its cycle hire scheme at Stirling station. Last week, it let me have a ride on one. To be frank, it was a revelation. I have a bicycle, and, to be honest, it rests rather serenely in my garden shed, untouched in a very long while. [HON. MEMBERS: “Shame!”] Shame indeed. I had never been on an electric bicycle. Emily Harvey, the development manager, guided me on a cycle route using
the bicycle’s electric assistance to Stirling Sport Village and back, and it was a sweat-free, pleasant experience—it felt like I had never stopped cycling.

While the bike asked me to pedal, the ride was as effortless as a cycle through the flat lands of the Dutch tulip fields, yet we were negotiating all the hills and obstacles of an urban cycle. I would love to use one of those bikes to traverse the great peaks and troughs of my constituency, which as all Members know is the most beautiful in the country, and do so without breaking a sweat. The purists in the cycling fraternity may see that as cheating, but it is a great way of opening up the joys of cycling to a wider audience.

Stirling Cycle Hub has had a great deal of success: it has rented the bikes out 202 times in the last year. It tells great stories about how grandmothers are now able to cycle with their grandchildren and how, as I mentioned earlier, people are using electric bikes to make deliveries. It is a great way to get into cycling and, for those who are perhaps not as fit as they could be—I will move quickly over that passage, and I must say I include myself in that number—or, more importantly, those who are recovering from mobility difficulties or have disabilities, it is a great way of getting back on a bike and getting around.

It makes it possible for a wider range of people to commute, and makes it a more positive experience for those of us who live in constituencies, as I said earlier, with hills. The motor in the bicycle assists with pedalling, making it like a gentle cycle while going up a steep hill. I invite all my hon. Friends and hon. Members from all parts of the House, the next time they are in Stirling—they should make that a regular trip—to go to the Cycle Hub at the railway station and hire one of those fantastic bikes, which will allow them to experience Stirling without breaking sweat. As colleagues know, my constituency is famed for its beauty and its glens.

I repeat the point that, for those with any kind of mobility difficulty or low levels of physical fitness, these bikes are a boon. I ask the Minister what more we can do to encourage the take-up of electric bicycles. The nextbike scheme in central Scotland, which includes my constituency, has seen over 40,000 journeys made by bicycle because of the work of those such as Stirling Cycle Hub, but can the Government play a more positive role in encouraging people? As we have heard, we are lagging behind the Germans, among others. Surely, we can rise to the challenge and get us all on electric bicycles.

3.21 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): I also congratulate my co-chair of the all-party parliamentary group on cycling, the hon. Member for South West Bedfordshire (Andrew Selous), on securing this debate. The purpose of the APPG on cycling is not to be a cycling club; we seek to engage with Government and stakeholders to get more people cycling more often, and safely.

As has been said, cycling has many benefits, public and personal. It reduces congestion, improves air quality, improves personal health, improves mobility for people who are frail or disabled and reduces journey times for those who, like me, are London-based. It improves street design and local trading in town centres and town environments.

I am also a new convert to e-bikes; like the hon. Gentleman, I also trialled an e-bike over the Easter recess, thanks to the Green Commute Initiative. As somebody who cycles fairly regularly and has two and a half bikes myself, I was a little bit purist about such things and wondered if it was cheating, but I am definitely converted. It meant I could do the nine-mile trip between here and home without breaking too much of a sweat, but still get more exercise than I would have done sitting on a train. It was quicker and easier, and the few hills there were certainly seemed a lot less. It meant pottering around my constituency was much easier, and the main thing was that I did not have to wear different clothes, which I normally would if I were getting on my road bike and riding any distance.

I would advise all hon. Members to test an e-bike. Transport for London, through a range of London cycle stockists, is running a test scheme at the moment, and there is nothing in the blurb that says that people must be London residents—although, in fact, most Members of Parliament are London residents some or all of the time. I advise them to try it and have the same experience that my colleagues have already mentioned.

On top of cycling, e-bikes in particular will get different people and different users cycling. Hon. Members have already mentioned older people, those with mobility problems or health problems for whom the energy of a main bike would be too much, and people with balance problems. E-bikes are good for cargo, particularly in cities, and for people in hilly areas for whom cycling is just too much effort. They also extend the commuting distance that normal people can do on a bike. Men in Lycra around London are a different issue, but we are not trying to get those people on to e-bikes; we are trying to get everyone else on to e-bikes.

There is no doubt that the extent of cycling and e-bike roll-out in other countries in Europe has been massive and that the UK is behind the trend, so I have some recommendations for the Government that could help us to catch up. First, OLEV should recognise e-bikes as low emission vehicles, which would unblock some subsidy options that are available to other types of e-vehicles. Secondly, the cycle to work scheme limit should be increased to £2,500 for e-bikes, since very few e-bikes come in below the £1,000 current limit. Thirdly, for registered disabled people, cycles and e-bikes, including e-trikes, should be incorporated into the Motability scheme to provide more mobility opportunities for people with disabilities. Only through a step change in the number of people cycling and using e-bikes will, for instance, Transport for London be able to achieve its target of taking non-private vehicle transport options up from 63% to 80%. If we do not do that in London, with an increased population it will grind to a halt.

I will go back very briefly to electric vehicles. Tesla’s showroom is in my constituency and I have also had the pleasure of looking at the new electric black cab. I have had a test drive in a Tesla, which was absolutely fantastic. I cannot afford it because they are very expensive—they are nice cars—but Tesla is also bringing out a mid-range car soon. Its big concern is the shortage of three-phase electricity. The barriers are not necessarily blockages by local authorities per se. There is an issue about getting
three-phase electricity to the roadside or to industrial estates such as Tesla’s base out at Heathrow. There are issues of wayleave, common-law problems of getting access over land and issues of getting access to the high-voltage transmission network.

However, I have to say to the right hon. Member for East Yorkshire (Sir Greg Knight), who was concerned about long-distance travel, that with an adequate network of fast charging points, one can take an electric vehicle several hundred miles—across to mid-France—without the journey taking any longer, because with fast phase charging one can charge the car in the time it takes to have a comfort break, something to eat and a cup of coffee. That is perfectly possible.

5.27 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to serve under your chairmanship, Mr McCabe. Like everybody else, I commend the hon. Member for South West Bedfordshire (Andrew Selous) for introducing the debate. He spoke really well and knowledgeably, and gave a fair and balanced presentation. He said it is his third debate on electric cars, so I would like to ask him how he goes about achieving his tabling success—it is a tip I could maybe use for the future. I have spoken in every one of those debates. I served on the Automated and Electric Vehicles Bill Committee, as did he, and I see a lot of familiar faces here from those debates and from the Bill Committee.

I completely agree with the hon. Gentleman’s point that 2040 is too far away on the horizon for the phasing out of the sale of petrol and diesel vehicles. I agree with the point about more ambitious stage targets, in order to get there quicker. I disagreed—as I think he did too—with the intervention of the hon. Member for Solihull (Julian Knight), who was concerned that people suddenly will not buy Land Rovers, because they will see in the future that they might decrease in value. It is certainly my experience in my constituency that if someone pays £50,000 for a Land Rover they can afford to drive that vehicle, and they are not looking at a second-hand market down the road. I think luxury vehicles will not be affected by the stage targets, and I urge the Government to think about stage targets in that earlier phase-out of carbon vehicles.

I am unsure about the suggestion by the hon. Member for South West Bedfordshire that 2022 might become a tipping point for the sale of electric vehicles as costs come down and upfront costs become more competitive. My concern is that we have heard for a while that we have reached the tipping point. Every so often there are Government announcements that say, “We have reached the tipping point. The sale of electric vehicles has gone up 50% compared with the year before,” but the reality is that less than 2% of vehicles on the roads are electric, so we are some way from that tipping point. Norway is a small, independent country, yet somewhere between 18% and 25% of vehicles on its roads are electric, so more can be done here. The Government need to look at what is happening elsewhere.

The hon. Members who spoke about electric bikes had a common theme, which was the access they provide to getting out and about in the great outdoors for people who are older or vulnerable, or who perhaps have a disability. I certainly echo those sentiments.

In Scotland, a third of all car journeys are actually for less than two miles, and a further quarter are for a mile or less. People take very short journeys in cars, and if we can get them either out of their petrol cars and into electric vehicles, or ideally on to bicycles or electric bikes, it would make a huge difference to carbon emissions and obviously to people’s general fitness.

Matt Western (Warwick and Leamington) (Lab): Will the hon. Gentleman give way?

Alan Brown: The hon. Gentleman will need to be brief.

Matt Western: Would the hon. Gentleman encourage similar programmes to that in Sweden, where they put in a 25% subsidy to encourage people to switch to electric bikes? It has been massively successful.

Alan Brown: I would fully support that. I do not think I will be able to respond to all the points that hon. Members have made. It is fair to say that I agreed with most points. The enthusiasm for electric vehicles and electric bikes shone through.

The hon. Member for Angus (Kirstene Hair) mentioned the Scottish Government’s money running out quickly. I point out that Scottish Tories actually criticised the Scottish Government’s bringing in a loan system that allowed people to apply for loans to buy electric vehicles. It has been a success, to the extent that it has been oversubscribed, so the Scottish Government are looking at providing additional funding for that. Her comments should be a compliment, not a criticism. I urge the UK Government to extend their grant scheme, because that has a short horizon as well. We really need to look at extending that further.

I commend the Kilmarnock Station Railway Heritage Trust in my constituency, which has completely renovated and occupied a number of rooms and basement areas of Kilmarnock railway station. It provides a huge number of third sector support services. Like the Stirling Cycle Hub, which the hon. Member for Stirling (Stephen Kerr) complimented, it operates a cycle hub and undertakes led runs to encourage other people to take up cycling. It also takes referrals from people recovering from addictions, making cycling part of their recovery process and giving them motivation and fitness and getting them out and about. It is a fantastic scheme. It also has a volunteering and mentoring operation.

The trust also operates a cycle hub at Whitelee wind farm, which is the second biggest onshore renewable energy site in Europe. It encourages people to get out there and cycle in the great outdoors, which is a fantastic co-location idea, harmonising renewables with getting people out and about. I pay tribute to my constituent, Alan Vass, who led the expansion of the cycle hub. It is getting bigger and better, and I wish him well for the future.

Much has been said about making the UK a world leader. The truth is that the UK has a long way to go and needs to look elsewhere. There is nothing wrong with ambition, but we need to put strategies in place to match that ambition.

5.32 pm

Rachael Maskell (York Central) (Lab/Co-op): Thank you for chairing the debate, Mr McCabe. I congratulate the hon. Member for South West Bedfordshire (Andrew Selous), who was incredibly helpful in the
advice that he gave the Government. Whether in the Paris agreement, Committee on Climate Change reports or numerous High Court rulings, the Government have clearly had serious warnings about how pollution is killing our planet—and is also killing us. Of course, transport is the major pollutant.

I place before the Government a big question about inconsistencies in their policies and the lack of connectivity between different announcements across Government. I also say this as an MP representing the highly polluted city of York. Certainly, announcements that we will see the end of the electrification of trains, and that a new generation of diesel trains will be put on the tracks, seem to clash with the Government’s ambitions—or perhaps, as we have heard, the lack of ambition—for electric vehicles.

We heard that, by 2030, India will no longer sell petrol vehicles. For Norway that will be in 2025, and for Scotland it will be in 2032, yet for the rest of the UK it will be in 2040. We also know that cities such as Paris, Madrid, Mexico City and Athens will ban dirty fuels in their cities by 2025, as will Copenhagen from next year. Meanwhile, air pollution causes 50,000 premature deaths in the UK each year. When will the Government’s Road to Zero plan actually see the light of day? It has been long promised but not yet seen.

The Government’s spending around active travel is woeful. Cycling and walking must come centre stage and must be seen as the mode of choice for shorter journeys, supported by more public sector options. We also need to address the strain that the increased use of electric vehicles will put on our national grid and look at the options available to decarbonise our energy at the same time. We need to ensure that investment goes in the right place. We heard how investment in our manufacturing sector will give a real boost to our economy, but we must not ignore the threats, particularly from China and the investment opportunities that it will see in the future.

We need to look at all modes of transport when looking at electric vehicles—not just rail, as I have mentioned, but buses, taxis, trucks, vans, motorcycles and bicycles. We need to see the Government now put their foot on the accelerator to bring forward the electric vehicle revolution, as opposed to creeping forward.

My hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) mentioned the need for infrastructure. If we look at places such as Denmark and the Netherlands, we see real investment in infrastructure, and we need to see that here also. What has actually happened to the £400 million invested in the charging infrastructure investment fund? It is deeply embarrassing that the Government announced that but did not have any equity behind it. What other incentives will the Government put in place to encourage people to switch, whether through scrappage schemes, grants or, indeed, looking at the Mayor of London’s toxic vehicle charge? The market share for plug-in cars was less than 2% last year. Why have the Government cut grants for plug-in cars and for home charging? What impact will that have? Again, I believe that puts forward a mixed message.

On electric bikes, it is incredibly important, as we have already heard from so many hon. Members, that we get people back on to their bikes with confidence. We need to take on board the shocking obesity figures that are continually presented to Members and to see that, while electric bikes can be a real step up to exercise, they can also help other people to step down without having to revert to cars.

What consideration has the Minister given to the cycle to work scheme and the opportunities that that could bring for electric bikes? The Cycle to Work Alliance has clearly said that there should be £1,000 grants for bikes and safety equipment and £2,500 for electric bikes. Will the Minister look at that proposal and report back to the House on how we will move forward? If grants from the Office for Low Emission Vehicles are available for electric cars and motorbikes, why can they not be available for electrically assisted bikes, too? The benefits of that would be even greater in the future.

The Opposition have been clear: we will be ambitious, whether on development, manufacturing or use. I trust that the Minister will want to match our approach as we clean up and green up our transport system.

5.38 pm

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): It is an honour to serve under your chairmanship, Mr McCabe. I am only sad that I have, now, four minutes, until 5.43.

Steve McCabe (in the Chair): Until 5.45.

Jesse Norman: But do I not have to allow two minutes for my hon. Friend the Member for South West Bedfordshire (Andrew Selous)?

Steve McCabe (in the Chair): You do not have to.

Andrew Selous: I will give you one of those minutes.

Jesse Norman: I do not have to, but I have been ceded one of those minutes. I am very grateful to my hon. Friend. That will allow me to cover at least a tiny fraction of the many points that enthusiastic colleagues have raised.

I congratulate my hon. Friend on convening this third debate. I doubly congratulate him on adding the vital topic of e-bikes to his original subject. That he has managed to add e-bikes to the subject for the third debate is proof that Parliament can evolve in its thinking. As I said, I congratulate him.

We have had mention of Dutch tulip fields and men in Lycra and a lot of references to sweat. That is a little unsettling, but I will try to make progress either way. I have been very impressed by the lobbying energy, if nothing else, of the e-bike industry in relation to so many of my colleagues, who have the feel of latter-day converts to a new religion. As a man who has been riding a bike for 45 years and riding an e-bike for some years, I am delighted that colleagues have come to the table and I congratulate them. Of course, I invite them to submit any of these new-found revelations and the evidence for them to the cycling and walking safety review, which addresses precisely these issues, including air quality and health effects, in a very holistic way.

The Government want to position the UK as the best place on the planet to develop, manufacture and use zero-emission vehicles. I think that that is perfectly clear from what we have said. It will clean up our air—
Nick Smith: Will the Minister give way?

Jesse Norman: Of course I will, but I have to make progress at some point.

Nick Smith: Can the Minister please update us on his discussions with the German Government about holding Volkswagen to account for the emissions scandal?

Jesse Norman: Yes, I would be delighted to. I have recently written to Volkswagen to draw attention to the continuing dissatisfaction that I and my colleagues have with its performance. I have raised the matter not merely with the operating personnel but with the supervisory board of that company, and I understand that my colleagues in other parts of the Government are in touch with their German counterparts, to make it clear that we remain exceedingly dissatisfied on behalf of consumers, Volkswagen customers and the general public in this country by the performance of the company and we expect it to continue the process of making amends through the scheme it has in place, extending it as and when that may be required.

Let me proceed. I have said that we want almost every car and van to have zero emissions by 2050. We have said that we will end the sale of new conventional petrol and diesel cars and vans by 2040. My hon. Friend the Member for South West Bedfordshire asked whether that target was too far out. I say to him that it is not. If he reflects on the experience of the past 12 months, he will see that one of the results of the Volkswagen scandal has been that diesels—in many ways, diesel is a thoroughly excellent technology, which is rapidly improving and is useful especially for journeys of distance and between cities in particular—have taken the brunt of that. The result has been a worsening in performance on air quality or rather on emissions, and that is precisely the kind of counterintuitive response that would come from a failure to manage the process effectively. I draw his attention to that.

Andrew Jones (Harrogate and Knaresborough) (Con): Will my hon. Friend the Minister give way?

Jesse Norman: I will give way once more, but tragically I will not have a chance to address any of the other points that were made.

Andrew Jones: The Minister has just mentioned air quality. Does he agree that electric buses, which are, so to speak, rolling out in Harrogate this year, are critical to providing a solid public transport system that will tackle the air quality in our towns and cities?

Andrew Selous: It just remains for me to thank hon. Members from across the House—from four different parties—for coming to contribute to the debate. I hope that the Minister has seen the enthusiasm. We are generally willing the Government to make a success of both electric vehicle and electric bike take-up. We will carry on scrutinising this issue in the months and years to come and we look forward to further success and progress.

Question put and agreed to.

Resolved,

That this House has considered take-up of electric vehicles and bicycles.

Sitting adjourned.
Lilian Greenwood (Nottingham South) (Lab): I beg to move.

That this House has considered the First Report of the Transport Committee, Community Transport and the Department for Transport’s proposed consultation, HC 480, and the Government response, HC 832.

It is a great pleasure to serve under your chairmanship, Mr Davies. I thank the other members of the Transport Committee for their work on this inquiry. I am pleased to see that my hon. Friends the Members for Cambridge (Daniel Zeichner), for Easington (Grahame Morris) and for Plymouth, Sutton and Devonport (Luke Pollard), and many hon. Members from across the House, are present to debate our report.

The Transport Committee often scrutinises multibillion-pound investment in roads and railways—high-profile mega-infrastructure projects. Community transport rarely comes under the spotlight, yet it encapsulates what local transport is for: connecting people with their communities. It is vital to many thousands of users, who are often the most vulnerable in society, and it provides them with reliable, high-quality and, above all, friendly and caring local transport services.

Nick Thomas-Symonds (Torfaen) (Lab): On that point, in my constituency I have a provider called Torfaen Community Transport, which is exactly as my hon. Friend says. Does she agree that, with rules and regulations, it is important to recognise the special status of community transport and the excellent services it provides?

Lilian Greenwood: My hon. Friend is exactly right, and I suspect I will hear from many more hon. Members across the House, which is why the Transport Committee became involved. I am proud that it was the first issue we considered after I was elected as Chair.

On reading through the many comments on the Committee’s online forum from community transport groups, drivers, users young and old, their families and even a tea shop and bed and breakfast in the Yorkshire Dales, it is clear just how important those services are to people’s daily lives. It is noticeable how many people referred to them as a lifeline. I recommend that everyone looks at #WithoutCT on Twitter to see the range of socially valuable activities that would simply not be possible for some without a local community transport operator.

Neil Parish (Tiverton and Honiton) (Con): I thank the hon. Lady for her report and for what the Transport Committee is doing on it. Community transport is important, especially in more rural areas, and especially to enable our elderly to get to hospitals all over the place. We have to try to provide some direct help with fuel costs or insurance—something that will keep those community groups going. They often cannot afford to run commercially, but they can do such a good job with some support. They do so all across my constituency, as I am sure they do across hers.

Lilian Greenwood: The hon. Gentleman is right that those services are invaluable. It might be a regular trip to the shops, a lift to a social or sports club, or a visit to the doctor or hospital, as he just said. It could even be something that we would all strongly advocate: a lift to the polling station on election day.

Community transport encompasses a broad range of services, whether that is lift-giving by volunteer car drivers, dial-a-ride minibuses for people with disabilities or other mobility problems, or community bus routes that would not otherwise exist because they are not commercially viable. I have seen the importance of Nottingham community transport in my area, and I am sure that we all have wonderful examples that showcase how local community transport operators serve our constituencies. That is why we support and highly value community transport, and why we want and need more of it, not less. We must not take it for granted.

A vibrant, not-for-profit community-based system is becoming increasingly important to complement existing commercial bus and taxi services, and to plug gaps in provision that are growing in many places because of pressure on local authority budgets. Last summer, however, the community transport sector faced an existential crisis. The Department proposed an about-turn in relation to not-for-profit operator licensing arrangements that could have serious, perhaps catastrophic, implications. Grave concerns were expressed by the sector, and by hon. Members across the House, which is why the Transport Committee became involved. I am proud that it was the first issue we considered after I was elected as Chair.

We heard evidence from all sides, including from the commercial operators who claim that there is unfairness in the current system, from hundreds of community organisations that feel under threat, and from the public bodies whose job it is to oversee the licensing and regulation of both sectors: the Department for Transport, the Driver and Vehicle Standards Agency and traffic commissioners. Our report was published in December and the Government responded in February, alongside the launch of their consultation on proposed changes.

My anxiety is that despite the work of our Committee and others to expose the dangers of the Department’s approach, the Government have not yet started to listen fully or engage properly with those legitimate concerns. A potential crisis has not yet been averted.

Andrew Percy (Brigg and Goole) (Con): I congratulate the hon. Lady on securing the debate. Following that consultation, the portfolio holder in the East Riding of Yorkshire Council said that little had changed from the Department for Transport’s proposal, which will have devastating consequences for the sector in the East Riding of Yorkshire. Community groups such as Goole GoFar and Age UK Lindsey rely on volunteer drivers. The truth is that the Government have simply not understood what the proposals will do to that sector. They should listen to councils such as the East Riding of Yorkshire that know how it works.

Lilian Greenwood: I agree with the hon. Gentleman, and I hope that during this important debate, we can begin to get the assurances we need from the Minister.
The UK has taken a unique approach to community transport by legislating for a relatively light-touch, affordable regime through the section 19 and section 22 permits of the Transport Act 1985. It is widely acknowledged, including by the Government, that the regime has provided an effective framework within which not-for-profit organisations can safely provide community-based local transport services. The Government have also very broadly accepted throughout that the long-established permit regime still achieves that. Furthermore, they accept that developments in the sector that have led to the current situation have been not only supported by official guidance, but explicitly encouraged by local and central Government for many years.

Not-for-profit community organisations have been encouraged to become more professional in outlook and, in the face of growing pressure on local authority budgets, to become more financially self-sufficient. Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have responded to that call by quite properly and, I stress, in accordance with the Community organisations have 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Mr Bob Seely (Isle of Wight) (Con): I thank the hon. Lady for calling this debate. On the Isle of Wight, we have the excellent FYTbus service—the Freshwater, Yarmouth and Totland service. It is very successful and needs no further help. This heavy-handed and bizarre approach to regulation puts a question mark over the future of the FYTbus service, and I think that that is very unnecessary. Does she agree that we need to be encouraging voluntary drivers and the community sector, and not hitting them in this way?

Lilian Greenwood: That is precisely right and my Committee called on the Government not to use a sledgehammer to crack a nut.

After the DFT’s letter arrived, traffic commissioners and local authorities were also unclear about its immediate implications. We heard about traffic commissioners sitting on applications for new permits, because they were unsure what to do. We heard about local authorities holding off from agreeing new contracts and that some contracts with permit-holders had already been terminated. Concern was growing that vital and socially valuable services might already be being lost. Frankly, it all seemed to be a total mess and the sector felt in limbo.

The pressure from our inquiry, from the Community Transport Association and from campaign groups such as Mobility Matters perhaps hastened the DFT’s attempt to clarify the situation. On 9 November last year, it issued a letter to local authorities, making it clear that at that stage no contracts should be cancelled. On the face of it, that letter also seemed to offer some of the clarifications that were being sought. For example, it explained that services could be considered “non-commercial” where there was demonstrably no commercial market—that is, where a community organisation had stepped in to replace a failed commercial bus route, or where it was delivering a service for which no commercial operator had tendered. Essentially, it set out a potentially broader definition of “non-commercial” and seemed to address some of the more obviously perverse consequences of the initial statement. We therefore welcomed the clarifications as a starting point from which to find a more workable solution.

However, we also concluded that the fact that it had taken more than three months to produce that letter demonstrated the Department’s lack of understanding of the sector and the potential impacts of the July proposals. What we wanted, and what we recommended in our report, was for the Government to convene a genuine consultation to consider reforms designed not only to achieve compatibility with the EU regulation but to maintain achievement of the key public policy objective—the provision of high-quality, safe and secure community transport services for people who might otherwise be left isolated.

I was not reassured by the Government’s response to our report. It took precisely the legalistic position that we had warned against, and discounted almost all of our recommendations, which were intended to lessen the impacts of the proposals. It did not consider the interplay with commissioning bodies’ responsibilities under the Public Services (Social Value) Act 2012, despite indisputable evidence of the immense social benefits of community transport. In addition, it did not consider establishing any kind of hybrid category, whereby there would be more proportionate licensing requirements for the sector. It could not even set out an appropriate and clearly defined transition period for affected organisations and there was no commitment to offer tangible support to those required to make changes.

It concerns me greatly that the Department has offered no properly reasoned justification for its implacable stance. Given the importance of what is at stake, it is surely incumbent on the Government to explain their thinking. The comments that I am hearing about the consultation, which closed last week, are not encouraging either. The fundamental questions of whether the Government’s interpretation of the EU regulation is correct, whether their proposals will achieve what they set out to achieve and whether those proposals are proportionate and workable have not been adequately open to challenge. It amounts to a consultation in name only; the Government’s proposals are presented largely as a done deal.

Mobility Matters’ opinion, with which I have sympathy, is that the interpretation is arguably wrong. Mobility Matters asserts that the definition of “non-commercial purposes” should be applied to organisations and not only to the services that they provide. For example, it should take account of an organisation’s charitable status and the social value that it brings to its local community. Mobility Matters also points out that the issue at hand is about fairness in competition for contracts. If that is the case, logic would suggest that the issue should be dealt with in procurement guidance.

The Minister needs to demonstrate today that the Department has properly engaged with these arguments and properly considered alternative courses of action. However, the Department seems intent on pushing ahead with more stringent, more expensive licensing requirements, without knowing how many operators will be affected and how much this will cost them, or how many operators will be able to bear the strain. There is a real danger that the Government have massively underestimated the detrimental effects on the community transport sector. That is demonstrated by the initial impact assessment, which was published alongside the Government’s consultation paper and which, frankly, is woefully inadequate. First, it is dated “October 2016”, when we know, by the Department’s own admission, that as recently as last July it did not have a reliable picture of the size or shape of the community transport sector.

Secondly, in the absence of reliable data, the Department seems to have grossly underestimated the total net costs for affected operators, putting it at £69.5 million over 10 years. The Community Transport Association, the trade body set up to support community operators, with the assistance of the Department, puts the figure
at nearly £400 million. The Department’s assessment did not monetise substantial costs, including the costs of tachographs, additional insurance, company registration for those needing corporate restructure, and funding required to prove financial standing for PSV operator licences.

The Department’s estimate was that 1,567 permit-holders would be affected by the operator or driver licensing requirements, which is 25% of permit-based operators. The CTAs analysis is that 95% of permit-based operators will be affected, which is a total of 5,956 operators. Just today, I received the latest example of the wider impact. Keep Mobile is an operator with 14 paid drivers, three volunteer drivers and 12 minibuses providing services around Berkshire, primarily to vulnerable passengers. Last year, the Prime Minister visited to celebrate its 25th year of operation. However, as a result of the confusion created by the Department’s letters, a local authority contract was not renewed and Keep Mobile was forced to make four members of staff redundant and sell two of its vehicles. Now it fears it will have no alternative but to close down. These impacts are real and devastating.

With such a level of uncertainty about the effects of the proposed changes, it is surely incumbent on the Department to take stock, to reconsider or, at the very least, to proceed with extreme caution, and I hope the Minister will be able to assure us that that is the approach he is taking. The published impact assessment is no basis on which to proceed. Frankly, the Department has this back to front: it is announcing its policy without a fuller, more robust impact assessment be published? Is he ready to rethink his plans in the light of that new data?

Will the Minister consider how we got to this point? The Transport Committee concluded that the Department failed to address valid concerns over many years. It acted too slowly. Perhaps now it feels it has painted itself into a legal corner, but why has that happened? As I understand it, complaints about the widely accepted permit system have emanated solely from Martin Allen and his small group of commercial operators, the Bus and Coach Association. The main trade body, the Confederation of Passenger Transport, seemed intensely relaxed about permit use in its evidence to our Committee. Why did the DFT allow the complaints of a small group of commercial operators to rumble on for years? If it had addressed these relatively localised complaints years ago, could we have avoided the current situation? Why could localised problems in relation to competition for local authority contracts not be dealt with through procurement guidance? Why the need for a new, blanket approach to operator and driver licensing when we all accept that the permit system has worked effectively for decades and very broadly still does?

Martin Allen and the BCA say they want an end to unfair competition, but is there not a very real danger that they will succeed in eliminating all competition from community transport operators? Has the Department for Transport and the European Commission effectively been bullied into proposals that could do immense harm to vital community services and achieve precisely the opposite of the regulations’ intention?

Mr Seely: The whole point about voluntary bus services, such as the FYTBus and others that we are here to defend, is that they take up the slack where there is no commercial option because the commercial bus operators will not provide services in those areas. That is the whole purpose and logic of having voluntary services.

Lilian Greenwood: The hon. Gentleman is right. In many places community transport operators are filling gaps. In other places, they are providing local authorities with an affordable option to continue providing services to their communities.

As we emphasised in our report, the community transport sector has acted in good faith, in accordance with official guidance and with the acquiescence and encouragement of local and central Government over many years. The Minister must confirm today that he will take full account of the views and concerns expressed during the consultation. He must be clear about the next steps and the timetable for change. I would like to hear him talk about transitional arrangements, financial support and other mitigations. We have heard precious little about them so far. It would be unjust if even one socially valuable community transport service was lost in these circumstances. I fear the ultimate outcome, if the Government pushes ahead regardless of the concerns, could be far worse.

Philip Davies (in the Chair): I ask everyone who wants to speak to stand, so I can assess how many Members we have to squeeze in. To try to get everyone in, I will have to set a time limit to start with of three minutes.

1.53 pm

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for Nottingham South (Lilian Greenwood) on securing this debate and on her Select Committee’s work in scrutinising the impact of the changes. It is right that this debate is taking place now, just after the Government have closed their consultation on the use of section 19 and section 22 permits.

I want to pass on the concerns that two community organisations in my constituency, Bungay Area Community Transport and Halesworth Area Community Transport, have raised with me. There are five issues I will draw attention to. The first is the disproportionate impact on smaller operators. BA CT and HACT have advised me that should the proposals go through, they will have to close. My second point—the hon. Lady did refer to this—is that community transport generally complements, rather than competes with, commercial operators. BACT and HACT have made that point to me. There is a view that the Government are responding to the prompting of a small number of vocal commercial operators that are not representative of the commercial sector as a whole.

My third point is that there is a risk of a domino effect. If one service is closed, it can cascade all the way down through local economies, with redundancies, staff reductions, day centres closing, market towns having even more problems and banks having yet another excuse to close their branches.

My fourth point is that local and national Government have supported the sector for decades, and there is a very good reason for that: it is the best way of plugging
this particular hole and meeting this existing demand. If the changes go through, I fear that Government will just have to come up with an alternative arrangement, in effect reinventing the wheel.

My final point is about the social and community role that these organisations provide. I will give one example that BACT brought to my attention. Mr and Mrs X are both disabled with walking difficulties, and Mr X has Parkinson's. They live in a remote rural village and have no family close by. They make use of BACT's car service for medical appointments, its dial-a-ride service to get them to the shops and its rural bus service once a week to get to the market town. They would be totally isolated without BACT, and they would probably be forced to leave their family home. In that context, I ask the Government to pause, go back and review the system, which has operated in this country—it is a British way of doing things—and should be allowed to continue.

1.56 pm

Sir Vince Cable (Twickenham) (LD): I strongly endorse the comments of the Chair of the Select Committee, the hon. Member for Nottingham South (Lilian Greenwood), on the potentially enormous impact of these retrograde and unnecessary changes, which will affect hundreds of thousands of people with mobility difficulties.

I should start by declaring an interest. Eighteen months ago, I took on the role of chair of the HCT Group, which I think is the UK's largest social enterprise. It runs a large number of buses, but also a large number of community transport operations. It is not affected by the changes, because its drivers are already fully compliant with the new standards, but it has deep knowledge of the industry and totally shares the assessment of the Community Transport Association that the changes will do truly enormous damage.

I mention HCT at the outset because it is a social enterprise, and I get a strong sense that the Department simply does not understand the concept of a social enterprise. It seems to believe that a commercial service has to be provided by a commercial operator, but very efficient commercial services are provided by social enterprises that operate efficiently, but make a different use of their profit. The profit is used for a social purpose, not the reward of shareholders, and that distinction appears to be completely ignored in the Department's evaluation.

I will make two specific points. The first relates to the social impact assessment. Frankly, the Department has done a shoddy piece of work. As the Chair of the Select Committee points out, some fundamental costs are completely ignored. The transport management cost in the industry is underestimated by a factor of three. Most seriously of all, there is a well-developed methodology that people in the industry understand for calculating social impacts. Those are not fully taken into account. The figure of £400 million that the Chair of the Select Committee mentioned is well attested by the people who use the standard methodology.

My second point is on the legal issues. It appears that in every other sector of the economy—local or national—there is now an understanding that the Public Services (Social Value) Act 2012 can be applied on top of procurement rules, but an exception has been made in this case. What has happened here—it has happened many times in the past over procurement issues—is that officials and lawyers are over-interpreting European Union law. I encountered that in Government as a Secretary of State, dealing with the Department of Transport over the procurement of railways. Fortunately, the then Secretary of State for Transport—now the Chancellor—listened, changed it, and we had a much more pragmatic approach. We are asking today for a much more practical, pragmatic response, which recognises the real social need in the sector.

1.59 pm

Sir Patrick McLoughlin (Derbyshire Dales) (Con): I will make two distinct points, because of the pressure from the amount of people who want to speak. I understand why the Minister felt he had to do this, but I hope that after listening to the debate—to the words of the Chair of the Select Committee, the hon. Member for Nottingham South (Lilian Greenwood), and the leader of the Liberals, the right hon. Member for Twickenham (Sir Vince Cable)—he takes on board the very strong feelings, across parties, on this issue.

I first tabled a private Member's Bill to get bus-fuel duty rebate for community transport back in 1999. I was fortunate enough to set up a scheme to help the smaller community transport agencies to get new buses. They fulfil a vital role, particularly in rural areas, but also in wider urban areas. I have three community transport agencies in my constituency. To give some idea of the work that Bakewell and Eyam Community Transport did over the past year, it has told me:

"Over the last 12 months we transported over 86,000 passengers which included 8270 wheelchair users and 3525 health related journeys".

The agency served more than 397 groups, including Age UK, the scouts, Church groups and Women's Institutes—the list goes on. Bakewell and Eyam Community Transport fulfils a very important role in rural areas.

I am concerned that the proposals have made a number of charitable organisations unnecessarily concerned that they will not be able to continue that work. I would like to see more flexibility. The Minister needs to reflect on the debate, as I am sure he will, and look at what he can do to assist community transport.

Mr Bernard Jenkin (Harwich and North Essex) (Con): As my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) said, this is just a matter of law. The new regulation is either a correct implementation of European Union law, or it is not. Which is it?

Sir Patrick McLoughlin: I will leave that to the Minister to answer; I am sure he will want to answer that. I fear that this issue has been around for some time. It is obviously everybody's view, including that of other speakers, that the Government have gone too far in responding to what was European Union regulation. After all, the Government believe in deregulating, not
excessive regulation. Perhaps the Minister would like to tell us about all the regulations he will get rid of, because for every regulation he introduces he is supposed to get rid of two.

As we can see, the proposals would lead to a lot of extra regulations that should not be introduced. I hope that the Minister takes note of the debate, and comes forward with a solution that allows community transport to carry on doing the vital job it has done, and that removes the question mark that many community transport agencies feel hangs over them at the moment.

2.3 pm

Grahame Morris (Easington) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I thank my hon. Friend the Member for Nottingham South (Lilian Greenwood), the Chair of the Select Committee, for summarising a powerful case, which many Members across the House support. I also thank community transport providers operating in my constituency of Easington. In particular, I thank Angela Kent, the operations manager of East Durham Community Transport, who kindly contacted me and briefed me in advance of today’s debate.

As has been pointed out, community transport is a vital lifeline for many people, especially elderly and vulnerable people at risk of social isolation and exclusion. My constituency is semi-rural, and the quality of local bus services for many people is nothing short of lamentable. If commuters in London had to put up with the quality of public transport services operating in my constituency, there would be protests on the streets. The regulated, integrated, frequent and modern public transport network that is standard for the capital city is a million miles removed from the experience of my constituents. Communities such as South Hetton, Haswell, Haswell Plough, Hesleden, High Hesleden and Hutton Henry can be left isolated, with an infrequent, sub-standard bus service that does not operate in the evenings.

Ben Lake (Ceredigion) (PC): Does the hon. Gentleman share my concern that the impact assessments conducted by the Department for Transport underestimate the impact of the proposals on very vulnerable people? The impact assessments led us to believe that the impact would be minimal.

Grahame Morris: That is a really important point; I thank the hon. Gentleman for that intervention. The problem is that, as a consequence of the regulations, people will be denied access to local amenities, leisure facilities and employment opportunities. My hon. Friend the Member for Nottingham South indicated the cost—some £400 million.

People are rightly angry and frustrated about the implications of the changes. I am angry about the quality of the transport infrastructure in my constituency, and this will simply compound that. The proposed guidance from the Government implies that community transport providers need to show that they are not blocking commercial operators that may wish to deliver a local service on a particular route—the section 19 and 22 recommendations that have been mentioned. However, community transport is plugging the gaps of a failing commercial network. The ongoing withdrawal of commercial bus services means that the community transport sector as a whole has gained growing importance in filling transport gaps, particularly in largely rural areas such as mine. Many community transport services are financially fragile, and rely on donations and the goodwill of volunteers to continue.

The Government must realise that community transport is about so much more than simply moving people from A to B. It brings people together, teaches people new skills, makes disabled and elderly people in rural areas less socially isolated, improves physical and mental health, and makes communities pull together to tackle many issues that they face on a daily basis.

I share the reservations of community transport providers in my constituency that the Department for Transport, sitting in splendid isolation in offices in central London, may find it difficult to comprehend the service and support provided by community transport. I share the view of my hon. Friend. Friend the Member for Nottingham South that the narrow and legalistic approach that the Government are adopting to community transport is like using a sledgehammer to crack a nut.

2.7 pm

Maggie Throup (Erewash) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I, too, congratulate the hon. Member for Nottingham South (Lilian Greenwood) on securing the debate.

As I reflected when I led a Westminster Hall debate on this issue back in December 2015, community transport occupies a unique central ground between the passenger transport industry and the voluntary sector, providing innovative solutions to the otherwise unmet transport needs of local residents. Figures suggest that Erewash Community Transport alone generates £1.3 million of social value for the communities in which it operates. We all agree on the importance of these types of transport services run for and by our community, so the changes made to the guidance with regard to section 19 and 22 permit holding organisations are particularly concerning.

The problem appears to have arisen as an unintended consequence of what is, in my opinion, poor EU regulation, rather than any specific action taken by Her Majesty’s Government. Where operators such as Erewash Community Transport are affected, Ministers have announced that they are making £250,000 available to help to fund advice for those drivers requiring a public service vehicle licence. Ministers have also issued new guidance to the Driver and Vehicle Standards Agency to ensure that a proportionate approach is taken to enforcement for operators who demonstrate that they are working towards that compliance. I accept that this situation is far from ideal, but from conversations that I have had with the Minister, it is evident that the Government are doing everything they can within the scope of the law to mitigate this issue.

As part of the Select Committee’s evidence-gathering process, I heard oral evidence from the chair of Erewash Community Transport, Mr Frank Phillips. Although I cannot say that Frank and I always see eye to eye on everything, as he also serves as a local Labour councillor, we have a shared passion for the community transport sector and agree with members of the Transport Committee that the social value of what these organisations do in
providing essential community-based transport services to vulnerable people who would otherwise suffer isolation is paramount. I am confident that the Minister shares that view and would urge him to continue in his efforts to negate the negative impact of the revised directive and to look at what further steps his Department can take to ensure the continued success of a sector that benefits my constituents in Erewash, as well as the wider community as a whole.

2.10 pm

Stephen Pound (Ealing North) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I must admit that I always associate you more with a column in the Yorkshire Post than a pillar of the establishment, but it is a pleasure to be here today.

I congratulate the Chair of the Transport Committee, my hon. Friend the Member for Nottingham South (Lilian Greenwood), on what is a model of a good Select Committee report. It is investigative and thorough. It has called witnesses, including the Minister and Mr Phillips and Mr Allen, who have been mentioned. Above all, it has focused on the core problem—that there are two sections of the 1985 Act, which can be addressed.

Surely if the Government cannot make things better, they should at least endeavour not to make things worse. The extraordinary thing about the community transport model that we have in this country is that it is organic. It has grown and it did so—as a politician, it seems almost heretical for me to suggest such a thing—without our hand on the tiller. It grew organically from the community and has brought added value and so many different beneficial advantages.

We have not yet mentioned the volunteers. My hon. Friend the Member for Ealing, Southall (Mr Sharma) was a volunteer driver with the magnificent Ealing Community Transport, which my hon. Friend the Member for Nottingham South has visited—that was the high point of our career there. I should say Ealing Community Transport is the exemplar; the finest example; the industry standard; the diamond mark of community transport. It has volunteers and also takes people on as apprentices. My hon. Friend the Member for Ealing Central and Acton (Dr Huq) has also visited it on many occasions.

There are many other factors that we simply do not have time to adumbrate today. There is the issue of cross-subsidy—we can cross-subsidise other beneficial community activities. There is also the fact that it can be an early-warning system. Very often, the drivers will identify a potential problem with somebody they are travelling with, and that is an early-warning system.

The absolute core of today’s debate is that there is no comparator between commercial bus and transport organisations and the community transport sector. They are totally different beasts. The community transport sector should be nourished, cherished, respected and admired. I have no argument whatsoever with the commercial transport sector, but it has its end of the pitch and the community transport sector has its end. Let us allow for something that works, and which, in my part of the world, provides transport for police volunteers, cadets and so on and knits all those community groups together in a way that frankly were it to cease to operate would leave a dark and terrible vacuum in the heart of Ealing. I know you would not want to see that, Mr Davies. I am sure the Minister would agree.

2.13 pm

Alex Chalk (Cheltenham) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. In the short time available, I will make some brief points. Firstly, the implications of these changes for my community in Cheltenham are very significant. The hon. Member for Ealing North (Stephen Pound) just referred to volunteers, and Community Connexions in my constituency has 90. It makes 100,000 passenger journeys a year, with a trip to 13,000 passenger trips to day centres and 5,000 trips to health appointments. As one example, we have a fantastic facility near Cheltenham called the Butterfly Garden, which provides education, therapy and recreation for people with disabilities, and the commercial providers simply do not want a contract to serve that fantastic facility.

If I may say so, from this side of the fence, is this not paradigmatic of David Cameron’s big society? It is about using corporate receipts to maximise community benefit. [Interruption.] I knew that would rile up Opposition Members, but it is true. We should be doing everything possible and straining every sinew to support these fantastic organisations.

In my constituency, Community Connexions is now having to consider winding up the organisation because of the cost of getting an operator’s licence—some £26,000. It does not know whether its application to get a licence will then be challenged by the Bus and Coach Association or whether commercial operators will pursue loss leaders to try to drive them out of business.

In its briefing for this debate, the Community Transport Association said, quite fairly:

“We understand that this action does not result from policy decision within government, and our sense is that they would rather not be doing this.”

That is fair and right. We have to recognise, as has already been indicated, that the issue derives from an EU regulation from 2009 that came into force in 2011. Therefore, the implication of the Government’s position must be that we have collectively misinterpreted the law during that time, which leads me to think that the law is most—it is arguable.

The question about what non-commercial purposes means must be a matter for legitimate legal debate. Should it cover the organisation, as has already been intimated, or simply the specific contract? We are a nation of laws and we comply with the law—that is one of the most solemn undertakings of any British Government—but where the law is arguable, there is a duty on those community providers who do so much good in our society and in our constituencies to take up those arguments, to deploy them to the fullest extent and, if necessary, to litigate and test them. It is only where the case is unanswerable that we should be taking the necessary action.

Mr Kenneth Clarke: Would my hon. Friend agree that it is not unknown for Governments to gold-plate European regulations and that, quite often, that is at the instigation of commercial organisations, which do not have terribly strong objections to costs and burdens being placed on rivals? Does he not think that the Department’s interpretation of this regulation being applied, for example, to non-profit-making organisations with unpaid voluntary drivers, providing services that no commercial operator is actually trying to get, should
be seriously questioned by the Minister? Perhaps he should challenge the rather pedantic nature of the legal advice that he has received.

Alex Chalk: As always, my right hon. and learned Friend presents the point extremely powerfully. My concern is that it is not so much about gold-plating the EU regulation as it is about being excessively cautious in its interpretation. There is a role here for the Government to take a robust line. With any litigation there is the risk of failure and I recognise that, but there is an overwhelming public interest and, just as importantly, a powerful and legitimate legal argument for taking this on, and I would urge the Government to do so.

2.17 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): As a member of the Transport Committee, I have already had my say in this report, so I will be brief. Community transport is a vital lifeline for people in the far south-west, both in rural areas across Devon and Cornwall and in big cities such as Plymouth and Exeter. In my own patch, Access Plymouth has been in touch. It is a superb community transport provider that is very concerned about these changes.

My concerns were echoed in the report. The Transport Committee set out some very clear concerns about section 19 and 22 permits, highlighted the fact that the decisions taken by the DFT may have been taken with best interests in mind, but have been done so in a haphazard way. The Committee set out a very clear set of recommendations that the Government should follow in order to mitigate these circumstances. I am very disappointed that that has not happened. The DFT’s management of the sector has been confused and needs proper clarification. I hoped that the Committee’s report would provide the basis for that clarification of the rationale, so I hope this debate will help give new energy to Ministers.

Local authorities are now following very different rules. They are confused and are making very different decisions, which are disadvantaging not only community transport providers but the communities that rely on them. Our recommendations were clear but have not been followed and the changes have now been enacted very differently by local authority providers across the country and by different community transport providers, which are trying to interpret a very complex legal structure in a way they have not before.

The timing of our Transport Committee report was deliberate. Concerns were raised, the Committee communicated them clearly, and the DFT had the window to correct the problem before long-term damage was caused to the community transport sector. I fear that the window of opportunity has now closed. The consequences of the DFT’s inaction is that community transport providers are shedding volunteers and vehicles, and are reducing the service they offer to some of the most vulnerable people in the country, including disabled and elderly people, who desperately need community transport provision to help them get around their communities.

There is a real risk that, unless the Government act, the confusion caused by the DFT’s action could sound the death knell for community transport as it is structured. I ask the Minister please to re-read the Transport Committee’s recommendations, listen to the experience of community transport providers, and act swiftly before any more damage is done to the sector.

2.20 pm

Edward Argar (Charnwood) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for Nottingham South (Lilian Greenwood) on her Committee’s report and on her excellent speech. There is a reason why the Transport Act 1985 set out a reasonable but relatively light-touch regulatory regime for community transport services, which, as hon. Members have made clear, provide services to address a commercially unmet need in our communities. They get people to hospital, GP appointments and the shops, and they generally help people to live a normal, active life by taking them from door to door with a caring, local service.

In my semi-rural constituency of Charnwood, the SYston and District Volunteer Centre, which provides volunteer drivers in cars and minibuses, plays a huge role in supporting the community. It is well run and financially in a good place, but there is the risk that what is proposed in the consultation could unintentionally harm it.

My very real concern is that successive Governments over many decades, having not incrementally tweaked the regulations in the 1985 Act where necessary, have led us to a place where, under legal pressure, the Government have to consult on some remedial measures and risk adopting a legalistic and potentially unduly onerous interpretation of the regulations. As the hon. Lady said, it is very much a sledgehammer to crack a nut. In seeking to address the issue of legal compliance, they might unintentionally have a much wider-ranging impact on this hugely valued sector.

As my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) highlighted, the legal point—the definition and interpretation of “non-commercial”—is important. Getting the right legal advice is important. With two lawyers in the Chamber—with all due respect to my right hon. and learned Friend and his colleagues—we may well get at least three, if not four, legal opinions. My hon. Friend the Member for Cheltenham (Alex Chalk) was right that this should be tested in the court.

I echo my right hon. Friend the Member for Derbyshire Dales (Sir Patrick McLoughlin)—as a former Secretary of State, he has probably forgotten more about this issue than any of us in this Chamber will ever know about it—in urging the Minister, who is a reasonable and decent man, to reflect again on the proposal, to show flexibility and pragmatism in his approach, and to ensure that the consultation looks not just at delivering a legal fix but at addressing the broader policy context and delivering a vibrant community transport sector for the future.

2.23 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate my hon. Friend the Member for Nottingham South (Lilian Greenwood) on her report, her speech and her excellent stewardship of the Transport Committee.

Community transport is not the sexiest subject on the political agenda. It was never in “The West Wing”. When people think about transport, they think of things...
such as Crossrail, HS2 and the third runway—all of which are in my constituency, I have to say. However, as many hon. Members have pointed out, community transport gives people a lifetime.

My hon. Friend the Member for Ealing North (Stephen Pound) described Ealing community transport at length, and he has nicked most of my speech. He and I were both at the Christmas party of Age Link, which provides a similar service: volunteer drivers in their own cars, not minibuses, take isolated and lonely elderly people to appointments. In Ealing, we also have Dial-a-Ride—Transport for London is the main provider—which is another door-to-door service, with red buses.

The distinctive green and yellow ECT buses, which my hon. Friend described, are testament to how things work in Ealing and elsewhere in the country, and they illustrate why changing these regulations is so dangerous. I spent a recent Friday with ECT, and we picked up a lady called Suzie. Hon. Members have talked about their rural seats, but even in suburban Acton we picked up someone who had had a fall and has been unable to drive since then, and we took her to Morrisons. She said that the service is a godsend. It has been going for nearly 40 years and serves 298 groups—not just the elderly and disabled, but various scout groups, youth groups and every complexion of religious group from the Jehovah’s Witnesses to various mosques. ECT provides services that are not available in the commercial transport sector, and not just to the elderly—a group we seem to have been addressing today. In my list of groups I have written the YMCA, which has “young” in it. ECT serves young groups, old groups, Dementia Concern, Age Concern—those sorts of people.

These services save our local authorities a huge amount of money in avoided health and social care costs, which is the biggest bill for all local authorities at the moment. In the long run, they save us money. In January, the Government introduced a Minister for loneliness. Community transport providers tap into the loneliness agenda. There are also quantifiable figures: Deloitte estimates that the loneliness bill is £1.3 billion to £2.9 billion for the whole country. It is £10 million for Ealing alone, but with community transport it comes down to £4 million a year.

We have heard about the strangulating definition of European regulations. My hon. Friend the Member for Nottingham South described how the 1985 light-touch regulation turned into the scary notifications of 31 July and the law with a fine-toothed comb. Simply put, we cannot allow a situation to arise in which community transport providers are not able to operate.

It is essential that we continue to go through the regulation and the law here, and that is exactly what we have to do. The sections 19 and 22 system, which has existed for so long, is a classically British compromise. It has created a benign environment under which community transport can operate. It is essential that we continue to go through the regulation and the law with a fine-toothed comb. Simply put, we cannot allow a situation to arise in which community transport providers are not able to operate.

Robert Courts: My hon. Friend says we will get six opinions—I am sorry all the barristers are agreeing with each other.

My hon. Friend the Member for Cheltenham is absolutely right that there is clearly space for interpreting the law here, and that is exactly what we have to do. The hon. Lady is absolutely right. I, too, thank all the volunteers, without whom the services would not run. They put an incredible amount of effort into ensuring that when commercial services were withdrawn, communities could step in and fill the breach. We must make sure that that can continue to happen.

Rural isolation is a real challenge for any of us who represent a rural area, and I know that the Government are combating it and worried about it. That is another essential reason for community transport to continue.
I gave a full response to the consultation, in which I made some of the more technical points that I do not have time to make now. I urge the Minister to engage with the all-party parliamentary group and all of us, because we want to help. We must find a way through to ensure that community transport can continue to thrive, as it has done so far.

2.30 pm

**Tommy Sheppard** (Edinburgh East) (SNP): It is a pleasure to serve under your chairship, Mr Davies. On behalf of the third party, I associate myself and my colleagues with the Transport Committee presentation and the speech of its Chair, the hon. Member for Nottingham South (Lilian Greenwood), in support of the general thrust of our discussion today.

We cannot overstate the gratitude that we should express to the many hundreds of organisations throughout the country that provide a community transport service and, in particular, to the many thousands of volunteers who are involved in the boards of the charities, running the services and, often, sitting at the wheel to provide the service itself. Such people are the dedicated community heroes whom we should be lauding, saluting and encouraging. I suggest that the role of Government is to nurture, enable and give support to people who want to provide that service in their community, so I regret that we seem to have got ourselves into a situation in which this Department for Transport consultation exercise leaves many of those people devalued and in many ways frightened about the future of the service in which they are engaged.

In my own city of Edinburgh, we have a very good community transport service. There are five main providers operating in a public sector partnership with the local authority. In my constituency, the South Edinburgh Amenities Group and Lothian Community Transport Services provide an excellent service, which is not just a matter of transporting people from A to B. The whole nature of the service, and the rationale behind it, is that it provides a vital social and caring service to those people in our community who need it. We cannot overstate the importance of the service in preventing and overcoming the social isolation that many people would otherwise feel. The service is vital not just in providing material and physical help to people, but in allowing them to live their lives more fully and better than would otherwise be the case.

Community transport is a service provided at an individual level, and it gets to the places that normal transport does not or cannot reach. Quite often, that involves getting people not only to the door but through the door, with physical assistance for people to get into vehicles—something that normal operators simply could not provide.

I am very disturbed about the process that is under way. There is some confused thinking going on, particularly in the attempt to redefine, after all these years, the notion of the word “commercial”. To suggest that simply by virtue of the fact that money is paid to a service—irrespective of who is paying it and who is receiving it—an operation is rendered commercial seems to me to turn on its head what most normal, right-thinking people believe to be a commercial operation. A commercial operation, for most people, is one in which an operator engages in supplying a service in order to make a profit. That is the normal meaning of “commercial”. Organisations that do that explicitly not for profit should not be regarded as commercial, and they should be exempted from the requirements of sections 19 and 22 on that basis alone.

Even more bizarre is the suggestion that it will be for a private operator to decide whether we apply the exemption—only when a private operator says that it might be interested in running the service will the community transport operator be obliged to go into the new licensing regime. I find that bizarre. We could have a situation in which, on the one hand, a community transport operator is regarded as commercial simply because it receives payment from the local authority or someone else for providing the service and, on the other hand, it could be exempted and be non-commercial on the grounds of there being no private sector interest. At one and the same time, the operator could be both commercial and non-commercial. That is a policy of which Schrödinger would be proud, but it ought to have no part in the planning of public transport.

We must also understand the effect. If the proposal goes ahead, many community transport operators will be faced with higher costs as they try to fit in with a licensing regime that they did not have previously. More importantly, a lot of the volunteers who run such organisations will simply say, “This isn’t why we got into this. We didn’t go into it to be a commercial operator or to operate on this basis”, and they will simply give up. We will see a collapse in community transport organisation providers, and that will leave a gap in the service, driving up the cost to the local authority or anyone else who needs to provide the service.

**Stephen Pound**: Many volunteer drivers would be extremely put off by having to undergo all the onerous training to get the additional certification. Many people will simply walk away if they are required to get all that additional certification. Does the hon. Gentleman agree?

**Tommy Sheppard**: I could not agree more. That is another reason for that effect of the policy—if we oblige community transport operators to jump through the new hoops and the red tape, many people will simply say, “Well, that’s not what I want to do. I want to serve my community. I don’t want to do this.” The Department ought to be responsive to that.

I have a couple of final observations. First, I cannot be the only person to find it bizarre that the suggested rationale for why this is happening now is a sudden desire by some officials in the Department to comply better with the regulations of the European Union. We are, after all, only 47 weeks away from being led out of the European Union by this Government, whereby they hope to free themselves from the shackles imposed on them by just such European Union regulations and many others. Why the sudden outbreak of Europhilia, at the 11th hour of our membership of the European Union? It does not add up. It is probably a smokescreen for some other agenda going on in the Department.

Secondly—I know I am the only Scottish MP present—as I researched for the debate and read around the issue, I have to confess that I realised that the situation in my city is bizarre. The roads along which the community minibus travels are regulated and paid for by the Scottish Government; the people inside the bus are being taken...
to health and social care facilities that are regulated and legislated for by the Scottish Government; and yet the Scottish Government have no oversight of whether the operator should have a licence to drive the bus. That seems to me to be something of an inadequacy in the devolution settlement. I hope that next time we review the competencies of the devolved Administrations we consider some more joined-up thinking in that regard, so that the settlement is at least internally consistent, and all aspects of public policy can be integrated.

I have attended many of these Westminster Hall debates and usually they are much more collegiate than exchanges in the main Chamber. However, I do not think I have yet seen one in which there is this degree of unanimity in the views expressed by Members right across the House. The Minister is an admirable fellow, and I know that his fingerprints are not on this particular consultation. He now has a golden opportunity to rein in his Department, to say “Stop!” to whoever is driving this policy, and to recognise in public policy and Government action the importance and uniqueness of community transport. It is also a lifeline for the volunteer drivers. Patrick O’Keefe, a constituent who was very high up at Heathrow, that it is also a lifeline for the users, but does he agree that any transaction in any form makes something different to health and social care facilities that are regulated and legislated for by the Scottish Government; and yet the Scottish Government have no oversight of whether the operator should have a licence to drive the bus. That seems to me to be something of an inadequacy in the devolution settlement. I hope that next time we review the competencies of the devolved Administrations we consider some more joined-up thinking in that regard, so that the settlement is at least internally consistent, and all aspects of public policy can be integrated.

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2.39 pm

**Matt Rodda** (Reading East) (Lab): It is a pleasure to see you in the Chair, Mr Davies.

I pay tribute to my hon. Friend the Member for Nottingham South (Lilian Greenwood) and I congratulate her on securing this important debate and on her excellent speech outlining the issue. Her knowledge and expertise on all transport matters is of great benefit to the House, and I commend her work as Chair of the Transport Committee in bringing out this important and thorough inquiry. I also thank hon. Members from across the House for their contributions.

We have heard that community transport is a very broad term for the vital local transport services that provide a lifeline to people in our communities who, sadly, might otherwise be isolated. From lifters by volunteer car drivers to more organised schemes such as dial-a-ride or dial-a-bus, minibus travel for groups of people who struggle to get out on their own and community bus services where there are no existing commercial routes, such as in remote rural areas, not-for-profit services are vital to local communities.

**Dr Huq:** My hon. Friend mentioned that community transport is a lifeline for the users, but does he agree that it is also a lifeline for the volunteer drivers? Patrick O’Keefe, a constituent who was very high up at Heathrow, and Paul Hurley, who is ex-BBC, love it because they have a post-retirement second lease of life.

**Matt Rodda:** My hon. Friend makes a very valid point.

My hon. Friend the Member for Nottingham South and other Members are right to describe the services as a lifeline, as my hon. Friend the Member for Ealing Central and Acton (Dr Huq) just did. It is heartening to see so many Members here showing support for them. Throughout the debate, we have heard many examples of the impact that these vital services have in constituencies up and down the country. The value of these services is not disputed and is not a topic for this debate.

The debate came about as a result of the failure of the Department for Transport to ensure that UK legislation and guidance kept pace with community transport practice and European regulations. Sadly, the Department did not respond appropriately or quickly enough to address issues that were raised directly with them over a number of years. When officials did respond, they mismanaged the situation, causing confusion and panic in the community transport sector. We have heard that the Department’s ill-judged letter last July had an immediate and damaging knock-on effect. It led to local authorities halting commissioning and in some cases even withdrawing contracts from community transport operators. The delay of more than three months in the Department providing clarification further exacerbated the problem and highlighted the Department’s lack of understanding of the impact of its proposals on the community transport sector.

My hon. Friend the Member for Nottingham South informed us earlier that the Transport Committee’s subsequent inquiry was launched in response to the concerns about not-for-profit community minibus services for vulnerable or isolated people were under threat, and in response to Members being contacted by constituents and community transport providers. The inquiry received more than 300 submissions, which demonstrates the considerable strength of feeling among organisations that provide community transport and people using these vital services.

The inquiry found that the Government’s position—that the majority of community transport operators would not be affected by any clarification of the rules—was inaccurate. The Department’s view appears not to differentiate between true commercial services and those vital community services that fill gaps where the market is unable to deliver transport. By accepting a premise that any transaction in any form makes something commercial, the proposed changes will prevent many more community organisations from operating than the Department intended, affecting not just those that compete for contracts. It is important to remember that not all services where a payment is made are truly commercial.

If the proposed guidance stands, the total estimated impact on community organisations will be about £399 million. That will mean that many of the not-for-profit organisations will no longer be able to afford to run their services, as we have heard from many Members. That is a fundamental and worrying shift away from the established policy that not-for-profit organisations are able to play an important role, which has been supported by legislation and encouraged by both Labour and Conservative Governments for nearly 30 years. This long-established arrangement has been successful and has ensured that people in our communities can still get about when public transport cannot support them. That is why, in its inquiry report, the Transport Committee urged the Government to engage with the sector, and called for Ministers to address the Department’s lack of understanding of the community transport sector and to carry out a full impact assessment of the proposals.

A further key recommendation was that the Government use the consultation to consider reforms to achieve compatibility with EU regulations. That would maintain the key objective of continuing to provide high quality, safe and secure community transport services. It is disheartening to hear from my hon. Friend that the Government have not listened and, sadly, not engaged with these very legitimate concerns. With the consultation now closed, I hope the Minister will outline the steps he will take to ensure the views and concerns expressed are
taken into account, and will reassure Members that the consultation was not merely an exercise to rubber-stamp the Department’s proposals.

The community transport sector has acted in good faith, in accordance with official guidance from both local and central Government over many years. By its own admission, the DFT has not kept pace with developments in community transport. Furthermore, the Department has taken action only when under immediate legal threat. Will the Minister now outline what steps he is taking to ensure that the Department has the expertise and understanding required to oversee the reforms, whilst ensuring the protection of these vital services? The role of the DFT is to support transport networks and to keep people moving.

This sorry episode suggests a wider failure to take a strategic view of local transport policy, which I hope the Minister will now address. I urge him to take a fresh look at community transport services, to improve services and make them more efficient. I look forward to hearing the Minister’s comments and to him reassuring the Committee on this matter.

2.45 pm

The Parliamentary Under-Secretary of State for Transport

Jesse Norman: You are an adornment to the Chair, Mr Davies, and it is a delight to see you there. I am very grateful to colleagues across the House for taking the time to take part in the debate. I recognise that the reason they do that is because of the strength of feeling of individuals across political parties on this vital sector. I am delighted to have the opportunity to respond to the questions that have been put and the Committee report that has been produced.

I will start by saying that far from it being the case that Government have not started to listen, as the hon. Member for Nottingham South (Lilian Greenwood) said, we have been very carefully listening all the way through this process. As Members were standing up, I found myself wondering how many of their specific organisations I had myself visited. They include Community Connexions in Cheltenham, the community transport business in the constituency of my hon. Friend the Member for Witney (Robert Courts) and Hackney Community Transport. My officials have visited other community transport organisations. That is because, as colleagues have said—it was put beautifully by the hon. Member for Easington (Grahame Morris) and by many other colleagues across the House—they are vital community organisations.

It was right to recognise, as several Members did, that the organisations in many ways are not entirely distinct but often highly different in their nature from purely commercial operators. That is because the services they offer are often incidental to the wider public good that they discharge and the wider social value that they add. I see this in Herefordshire: we have the city of Hereford but we also have rural lands. I acknowledge the value of community transport. That is why this Government and their predecessors have supported community transport organisations.

My right hon. Friend the Member for Derbyshire Dales (Sir Patrick McLoughlin) was right to highlight the fact that those organisations had been supported by the bus service operators grants—BSOG—and by the minibus grant scheme that we have in operation. Hundreds of organisations up and down the country have benefited from both schemes. We recognise the importance of the sector.

This consultation is, and was always designed to be, a consultation in the full sense. The Government do not have a formulated and final policy on this matter. My hon. Friend the Member for Cheltenham (Alex Chalk), who is a thoroughly distinguished lawyer in this area, pointed out—as others with legal practice experience have acknowledged—that the law in this area is a complex matter on which our understanding continues to evolve. Part of the purpose of the consultation is to understand how the law plays out in community transport organisations’ practice across the country.

Lilian Greenwood: I am very pleased that the Minister gave the assurance that he is listening and that he has been to visit operators. Will he explain what he intends to do in response? Will he consider alternative interpretations of that EU regulation? Is he prepared to think again in response to the results of that consultation, rather than the explanation that was given in the consultation, which seemed to take a very legalistic approach with no room for manoeuvre?

Jesse Norman: I will come to the full thrust of what the hon. Lady said later, but let me respond to that point. We will pursue the consultation process, reflect on the experience that comes out of that, publish a response to the consultation and take action based on that, which is exactly what Members would expect of the Government. We do not believe that we should proceed without listening to people or taking account of what they say.

This was a consultation in the full sense of the word. It was not just about listening to local community transport organisations and their wider representative organisations throughout the country, but about gathering evidence. As I think my right hon. Friend the Member for Derbyshire Dales mentioned, when he ran the Department the Government had relatively little information about this area and there was a certain lack of legal clarity. I only wish that I had his flexibility in that regard, but the point of the consultation has been to gather information as well as to take soundings from operators.

Stephen Pound: I understand where the Minister is coming from, but does he realise that, by not clarifying the situation, he has not given any signal of hope to the community transport sector? It is suffering, and the corrosive impact of last year’s famous letter is causing it pain. We will not have a community transport sector unless he makes it clear here and now that the Government support it.

Jesse Norman: I can only respect the hon. Gentleman’s astonishing capacity to manufacture indignation.

Stephen Pound: It wasn’t manufactured!

Jesse Norman: I feel the same concern as him and, if he allows me to proceed, I will be happy to give a reassurance about that. In fact, let me bring that section
of my speech forward. We have said this in the past, but let me say again on the record that our judgment is that it would be premature for local authorities to withhold contracts pending further analysis and exploration of the legal complexities involved in this area. I cannot be clearer than that, and I hope that is reassuring to the sector, as it should be.

Sandy Martin (Ipswich) (Lab): In which case, will the Minister write to local authorities instructing them to be helpful towards the community transport sector? The responses from local transport authorities around the country have been very variable.

Jesse Norman: We continue to consult local authorities. We will pursue the current consultation, which has been very full and wide-ranging, and then publish the results on that matter—properly considered and legally advised—in due course. I will say, though, that local authorities should heed the words I have just said and take a large degree of comfort from them for existing practice.

Mr Jenkin: Will the Minister give way very briefly?

Jesse Norman: I have taken a lot of interventions and I have a lot of stuff to get through, but of course—if my hon. Friend is very quick.

Mr Jenkin: I am most grateful. In the final analysis, the Minister’s legal advisers are there to advise; they do not instruct him. I advise him to get alternative legal advice from outside his Department, because Government legal advice tends to be a little over-cautious, which is why we finish up gold-plating these things. It is tempting just to blame the European Union.

Jesse Norman: Well, there were moments when colleagues sounded very much like Brexiteers in their rejection of this piece of EU legislation. There has been no undue deference to legal advice on this matter. We are considering it and consulting widely on this topic. We remain very open to legal advice. The hon. Member for Nottingham South has not clarified, in response to the question from my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), whether her Committee took legal advice. If it did, we would welcome its sharing and publishing it. I say to all colleagues around the House and to representative organisations that we would be very grateful to receive any legal advice or opinions they have. This is a matter of some legal complexity, and we are interested in hearing those views. The point was rightly made that aspects of social value in other legislation need to be taken account of, too.

I hope that it is understood that we as a Department are taking a tone of warmth towards the sector on this issue, while respecting our obligation to uphold and clarify the law. I very much offer community transport operators and colleagues reassurance about that. It is important to realise that there are genuine questions here about what the law is, how it relates to other aspects of law and how it is properly applied. We recognise that, and it is important to place that on the record, too.

Local authorities have not been much mentioned, except by me when I clarified that they should not withhold contracts until further clarification is given, but they are a very important part of this equation. As part of our further work during the follow-up to the consultation, my officials and I will talk closely with local authorities to think about best practice for how they commission services in this area and to encourage them to a proper understanding of the legal position as we see it.

In the few minutes I have left—I want to allow the hon. Member for Nottingham South a chance to respond—let me make a couple of comments on colleagues’ remarks. I think the hon. Lady is caught in a slight dilemma. She rightly praised the light-touch, affordable regime that successive Governments have adopted for the sector, which has been allowed to evolve of its own accord in a very big society way. I was grateful for the triumphant praise for the big society from the hon. Member for Ealing North (Stephen Pound). He was absolutely right about that. He did not quite bring himself to say those words, but of course that is what he was doing, like the good Tory he is. I hope he lasts in his party under those circumstances.

Stephen Pound: Withdraw!

Jesse Norman: Well, I offered my hope, but I am happy for the hon. Gentleman to contradict me if he wishes. The point is that the regime remains light-touch and affordable. That is precisely why the consultation was necessary—to gather information and understanding. It is misguided to suggest that we are adopting a narrow and legalistic approach when in fact we are proceeding with extreme care and caution in the face of a complex situation. As I said, I very much encourage the hon. Lady to place on the public record any legal advice that she has commissioned or received.

Lilian Greenwood: Will the Minister give way on that point?

Jesse Norman: The hon. Lady will have a chance to respond in about three minutes, so she can defend her position later if she wishes. I should say that I absolutely respect the Committee, which did extremely well to call this debate. That is a very important aspect of its work—it is an extension from when I was on the Treasury Committee and the Culture, Media and Sport Committee. I also have great respect for the Committee’s report, as do my colleagues across the Department.

The question of whether there has been gold-plating here is a proper one. I am not persuaded that there has been. I say to my right hon. and learned Friend the Member for Rushcliffe, and others who think there may have been, that the consultation and the draft statutory instrument went through a process of discussion across Government, including at the Regulatory Policy Committee and other committees, the purpose of which is to prevent gold-plating and which reflects custom, practice and decisions made by many Ministers, and they passed that process. I do not believe there has been gold-plating, but we do not yet have a final, evolved position on this matter, so it would be a rush to judgment to take that view.

Let me close by saying that no one respects the importance of the community transport sector more than my officials and me. We have been up and down the country to talk to these organisations. My officials have covered every part of these British Isles and, indeed, the United Kingdom in an effort to understand the sector and to support it, as the Government have
historically. I give that sector, which I respect so much, my reassurance that we will continue to do whatever we can to protect and support it, subject to the process of law, in the coming months.

2.58 pm

Lilian Greenwood: I am pleased that the Minister recognises the strength of feeling about this issue among Members on both sides of the House who represent constituencies urban and rural across the UK. There cannot be many issues that unite the Father of the House, the leader of the Liberal Democrats, a Conservative former Secretary of State for Transport, three Select Committee Chairs, the Scottish National party and Labour spokespeople, and so many other learned hon. Members. We know the immense value of community transport. It meets unmet need, generates social value and provides a lifeline to people who may otherwise be cut off from friends, family, work, education, social activities and essential appointments by disability or geography.

The Minister must have misunderstood our report if he thinks we recommend a legalistic approach. We ask for exactly the opposite. In our report, we called on the Government to explore whether a more practical and pragmatic interpretation of the EU regulation is possible, and that has been added to today. If he is prepared to listen, think again and amend his proposals, he has an opportunity to avert disaster. I very much hope he takes it.

Motion lapsed (Standing Order No. 10(6)).

3 pm

Stewart Malcolm McDonald (Glasgow South) (SNP): I beg to move,

That this House has considered the relocation of Channel 4.

It is a pleasure to see you in the Chair, Sir Graham. Channel 4 is undoubtedly one of our finest, most precious broadcasting assets, as evidenced by the fact that there has been intense interest from many cities and regions across the United Kingdom in hosting its new national headquarters and new creative hubs, representing 300 new Channel 4 jobs, which will not only expand its footprint across the United Kingdom but deepen its relationship with viewers.

Rightly, Channel 4 has set a high bar for bidding cities and regions, requiring robust local infrastructure and transport and, in particular, frequent, fast and reliable connectivity. For the national headquarters, it is looking for a home with a population of at least 200,000, travel time to the city of London within three hours and a high level of physical and digital connectivity.

As a Glasgow Member of Parliament, I am sure right hon. and hon. Members will understand that I am immensely pleased to see that my home city is putting in a bold, strong and ambitious bid to be the new home of Channel 4. I am particularly pleased that the chair of that bid is the famous Glaswegian journalist and broadcaster Stuart Cosgrove. Beyond Channel 4’s physical requirements, it is ultimately looking for somewhere it can feel at home. It is looking for a diverse city that has a thriving arts and production scene; a city that is not afraid to go against the grain; and a city that has a confident sense of itself but is always looking to stretch itself and take on new challenges. Setting aside the physical criteria, I wish to set out the case for Scotland’s largest city. The truth is that if Channel 4 was a city, it would be the city of Glasgow.

Glasgow is not only Scotland’s largest economy, generating more than £20 billion of economic output, but it has a growing population, standing now just shy of 600,000 citizens. Within that population, we have friends who have joined us from all four corners of the world. The well-established Chinese, Pakistani, Caribbean and African communities, along with many different European communities and other ethnic groups, proudly call Glasgow their home. It is important to note that those citizens who join us from other parts of the world are driving Glasgow’s population growth.

I mentioned that Channel 4 is looking for a city of diversity. If Members will allow me, I will adumbrate some of what has happened in Glasgow that shows we are a diverse city. Let us remember that the city of Glasgow elected Britain’s first ever Muslim Member of Parliament: Mohammad Sarwar, in 1997, as the Labour MP for Glasgow Govan. Similarly, the first ever Asian to be elected to the Scottish Parliament in Edinburgh, the late Bashir Ahmad, came from Glasgow. Scotland’s first female First Minister—known, I suspect, to everyone in the Chamber—is a Glasgow politician. This week, we marked the life of the late Michael Martin, who was...
the first ever Scottish and indeed Catholic Speaker of the House of Commons, and of course he was a Glasgow MP. If that was not enough, our Lord Provost—the first citizen of Glasgow—is herself from Sweden, making her the first EU national ever to hold that post.

Today is 10 May, and on 10 May 1994 Nelson Mandela became the first black President of South Africa. Glaswegians are particularly proud of the fact that Glasgow stood alone at the time in being the first city anywhere in the world to offer Nelson Mandela the freedom of the city. At that time, other cities were still condemning him as a terrorist. Sir Graham, you will know the fantastic tale of the South African consulate based in Glasgow. Our civic leaders, in their remarkable genius, changed the name of the street that the consulate was on to Nelson Mandela Place, so every piece of mail the consulate received had the name of that country’s most famous prisoner on it.

As Mohammad Sarwar noted when he spent some time in this House, Glasgow also lays claim to being the place where chicken tikka masala was invented. Let us move on to more serious, timely matters.

When Syrians came to the United Kingdom, fleeing war, Glasgow was the first UK city to welcome them among us. Indeed, in 1999, when the then Labour Government brought in a policy of dispersal for asylum seekers to move them out of London and the south-east across the UK, Glasgow was the first city anywhere in the UK to sign up to the programme. All of us who represent Glasgow are proud that many of them still call our city their home.

It is no wonder that the English writer and raconteur Sir Compton Mackenzie said in his rectorial address to the University of Glasgow that when he gazed down on Glasgow from the Campsie Fells, it offered something that “neither Rome nor Athens” ever could: “the glory and grandeur of the future”.

He said Glasgow was “the beating heart of a nation.”

Glasgow is home to a thriving creative arts and cultural scene. It is home to some of the best educational institutions in Europe, such as the University of Glasgow and Strathclyde University, supported by a network of colleges that is developing these communities even further.

There is an existing availability of talent in Glasgow that I have no doubt whatsoever would contribute enormously to the future of Channel 4. Of course, Channel 4 knows that, because it has been in Glasgow in some form or another for almost 30 years, working in partnership with some of our independent producers who have a reputation for being the best of the best in the business. All of the reasons that I have set out today and that have been outlined in a bold and ambitious bid document, led by Stuart Cosgrove, have led to an extraordinary display of political, geographical and cultural unity in getting behind Glasgow’s bid to host Channel 4.

The bid has been backed by all the major political parties in Scotland. It is backed formally by the Scottish Government, by Scotland’s tech city, the city of Dundee—home to Grand Theft Auto and the soon-to-be-opening V&A—and, of course, by Scotland’s capital city and home of the Scottish festival, the city of Edinburgh. I cannot tell you, Sir Graham, what an achievement it is to unite Glasgow and Edinburgh on almost anything.

Undoubtedly, one of Glasgow’s most precious assets—if not the most precious asset—is its people. Known the world over for our good humour and welcoming spirit, we have often punched above our weight on the international stage. That was displayed perfectly four years ago at the 2014 Commonwealth games, and no doubt it will be on display again this summer as we host the 2018 European championships.

Glasgow, of course, was once known as the second city of the empire, but the days of empire are gone, no matter how much some in this House might wish they were not. They are behind us. Glasgow has not stopped cutting a new image for itself over many decades, built up by some of our most famous sons and daughters, from the footballing legend Alex Ferguson—I am sure all Members will join me in wishing him a speedy recovery—to the comedy legend Billy Connolly, the musical talents of Amy Macdonald and bands such as Texas and, let us not forget, the only Scot that many people around the world will know, Groundskeeper Willie from the cartoon, “The Simpsons”.

There is a whole generation of young, talented and yet undiscovered Glaswegians who are waiting to make their mark on the world stage. My advice is that Channel 4 should snap them up now. They can be part of Channel 4’s future, and Channel 4 would be a welcome part of Glasgow’s future. Glasgow is a city that is constantly on the up, and constantly challenging itself. It is a city that is forever changing for the better, and a better home Channel 4 simply could not find.

3.11 pm

Richard Burden (Birmingham, Northfield) (Lab): It is a pleasure to serve under your chairmanship, Sir Graham. I congratulate the hon. Member for Glasgow South (Stewart Malcolm McDonald) on securing this Backbench debate.

When launching “4 All the UK”, the chief executive of Channel 4, Alex Mahon, said:

“As a public service broadcaster with diversity in its DNA, Channel 4 has a unique ability to reflect our society. This is a significant and exciting moment of change for Channel 4 as we evolve to ensure we are best suited to serve all of the UK. With this new strategy we will go even further to make sure that people right across the UK are represented on screen and in the make up of our own organisation—and it will also build on what we already do to support creative businesses, jobs and economies in the nations and regions.”

Today we have an opportunity to debate what that means and how Channel 4 can achieve that objective in practice with three new creative hubs and a new national headquarters outside London.

As we have already heard, the criteria that Channel 4 has set for its new national headquarters are that the new location should have a working population of at least 200,000, travel time to London of up to three hours, and a high level of physical and digital connectivity and infrastructure. In addition, Channel 4 has listed five considerations that it has identified to support the evaluation of submissions that will be undertaken by Channel 4 and its advisers. The considerations are economic, demographic, diversity and environmental factors; the existing availability of talent and a future pipeline, including educational links; local connectivity and broader infrastructure; ease and speed of travel for Channel 4 employees and partners between the different creative hubs; and effectiveness and efficiency of available
[Richard Burden]

office space. I want to argue today that the west midlands should be the choice for Channel 4 to meet those criteria.

Why do I say that? First, as a region we easily meet the physical criteria set by Channel 4. We have a population of 2.8 million. Birmingham alone has a population of 1.5 million people. Our travel time to London by rail is 85 minutes and will be even less after the arrival of HS2. Some 86% of properties in Birmingham achieved ultrafast broadband in 2017. On the availability of office space and other physical facilities, the west midlands has those in abundance at a fraction of the price in London.

To give just two examples from Birmingham, Digbeth has established a real reputation as a creative quarter close to the HS2 station that will be coming and is close to the BBC’s base at the Mailbox. Longbridge in my own constituency is undergoing a massive transformation. It has direct rail connections to central Birmingham and beyond. It is close to the M42 and the M5 motorways and is just down the road from the BBC’s drama village in Birmingham, Selly Oak. Birmingham has many studio and production spaces at various locations, as does Coventry, that has already shown its potential by winning the accolade of the UK’s city of culture 2021. It, too, has a great deal to offer Channel 4.

Those are all reasons why in many ways the west midlands would be the least disruptive option for Channel 4. But if Channel 4’s vision, as set out by Alex Mahon, is to be realised, it has to be more than about physical location. It has to be about people. That is where the west midlands is the most disruptive choice for Channel 4, and that means it is also the right choice if Channel 4 is serious about diversity being in its DNA, because diversity is in the DNA of my region, the west midlands.

Research from five years ago showed that there were people from 187 different national backgrounds living in Birmingham. We have 108 languages spoken in the city. We are the youngest city in Europe, with nearly 45% of our people under the age of 25. Already, the west midlands is showing itself to be a pioneer in the disruptive technologies that are transforming what media mean in the modern age. We are home to the gaming industry. We are pioneering new content, new platforms and new forms of production. That is why the BBC has chosen Birmingham as the home for BBC Three; it is trying to tap into a generation that knows that access to media content as and when they want it is digital, and for whom the future is online. All that is connected to the needs of a young and diverse population.

If Channel 4 wants to reflect the United Kingdom of tomorrow, it should look at the west midlands today and get closer to it. Our young and diverse population is a massive reservoir of talent on which Channel 4 can build. Indeed, one of Channel 4’s criteria for its new headquarters talks about needing not only a reservoir of existing talent, but a pipeline of talent for the future. Eight universities across our region are a part of that pipeline. Channel 4 itself can be a part of building that pipeline by the choices it makes. It has the opportunity not to only harness talent, but to help to transform lives and make social mobility a reality for people—whether it be minority ethnic communities or white working class; a city that has already shown its potential by winning the accolade of the UK’s city of culture 2021.

Sir Graham Brady (in the Chair): A number of Members wish to participate and I hope to avoid a time limit. If Members keep to about five minutes per contribution, I might be able to avoid that.

3.18 pm

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Tomorrow Liverpool will launch its bid to become one of the new locations for Channel 4. The bid has strong cross-party support from across the city region. The relocation of Channel 4 is long overdue. It recognises the skills and expertise right across the country. Relocation will benefit that national broadcaster at the same time as it regenerates the regions with businesses and jobs. Liverpool is the right place for Channel 4. It meets all the criteria set out, but has so much more. It is diverse: the world in one city. It has people with excellent skills and great enthusiasm. The area has great connectivity, with the excitement of the port.

Liverpool became the European capital of culture in 2008 because of its achievements, but also because of its potential. That pivotal year was indeed a launching pad. Now, in 2018, Liverpool has surpassed all expectations. It is the most filmed city outside London. It has the Liverpool Biennial. Always reinventing itself, it has great expertise in the media and digital industries, and at the Baltic Creative there are ever-expanding, innovative businesses. Liverpool has museums, the Liverpool Institute for Performing Arts with its unique offer, theatres and much more. It is bursting with enthusiasm and energy, which are matched by people’s expertise.

I have some questions about the process for selecting the new locations of the national headquarters and creative hubs. Will selection be carried out by Channel 4, and will the process be transparent? Have there been any prior meetings that might influence the outcome? Those important questions deserve to be answered, because the issue is a critical one. I hope that the Minister will give us reassurances on those important points. The relocation of Channel 4 is a great opportunity for Channel 4 itself, for the regions and nations of the UK, for broadcasting and for Liverpool. I hope that Channel 4 will make the right decision.

3.21 pm

Dan Jarvis (Barnsley Central) (Lab): It is a pleasure to serve under your chairmanship, Sir Graham. I congratulate the hon. Member for Glasgow South (Stewart Malcolm McDonald) on securing the debate.

The relocation of Channel 4’s headquarters and the locations of the new creative hubs is an important issue, and although the debate is perhaps turning into something of a beauty contest—no doubt we shall be seeing much more of each other in the next few weeks—it provides the House with a valuable opportunity to consider the merits of the bids.
I must declare an interest in that I speak not only as the Member proudly serving the people of Barnsley Central but as the Mayor of the Sheffield city region. As part of my recent campaign I pledged to establish a more vibrant, successful and co-operative economy in South Yorkshire. Those plans are founded on a three-part economic strategy—to build on our strengths, invest in our future and develop a well-paid and highly skilled workforce. The first step on that road would be the establishment of a digital inclusion taskforce, which would pave the way for the development of Sheffield as a regional hub for the creative and digital industries. That is a vision that I share with the leader of Sheffield City Council, my hon. Friend the Member for Sheffield Central (Paul Blomfield), and hon. Members across South Yorkshire. I believe that that vision is attainable, not just because digital employment in Sheffield and South Yorkshire stands at more than 21,000, the top 25 tech companies in Sheffield employ more than 12,000 people and bring in more than £2 billion a year and Sheffield digital companies boast one of the highest growth rates of any cluster in the UK, but because we now have the potential to supercharge that transformation with the relocation of the national headquarters of Channel 4.

The public service remit for Channel 4 focuses on important issues including quality, innovation, experimentation, creativity, diversity, public service, character and education. If someone were to read out that list of eight words to me and ask me what I was thinking, my answer would be simple: Sheffield. I say that because Sheffield not only has a proud history of high-quality and diverse manufacturing and business: it has a proven track record of promoting public service, prioritising education, and constantly demonstrating innovation, experimentation and creativity in the face of new challenges and opportunities. It is home to ZOO Digital, which works from Hollywood to Bollywood with some of the biggest names in TV and film; Joi Polloi, a home-grown digital design agency demonstrating that kids from council estates can win BAFTAs; and Digital, which works from Hollywood to Bollywood of new challenges and opportunities. It is home to ZOO Digital, which works from Hollywood to Bollywood with some of the biggest names in TV and film; Joi Polloi, a home-grown digital design agency demonstrating that kids from council estates can win BAFTAs; and two world-class universities. It should also be remembered that Sheffield is the UK’s first city of sanctuary, and thus embodies much of the diversity and inclusivity that Channel 4 strives to represent.

Mindful of all that, I put a simple question to the Minister: can he think of a place in the United Kingdom that reflects the values of Channel 4 better than Sheffield? With the greatest respect to those making other bids, I cannot.

Hilary Benn (Leeds Central) (Lab): People from Channel 4 listening to the debate will be beginning to realise that they are spoiled for choice. I urge my hon. Friend, in the spirit of Yorkshire solidarity, at least to acknowledge that with respect to the diversity, infrastructure and talent criteria the city of Leeds would be a great host for Channel 4, not least because of our strong record of television and film production in Yorkshire. Will he acknowledge that we will all fight as hard as I know he will to ensure that the city we represent will be successful when the decision is finally made?

Dan Jarvis: Of course I am happy to do that. Perhaps my one regret is that the decision will not be taken in a couple of months. Who knows what we might have done, had that been the case, working collectively and collaboratively across the great county of Yorkshire; but, alas, I find I am on this occasion, almost uniquely, on a different side of the argument from my right hon. Friend and my hon. Friend the Member for Keighley (John Grogan), who is sitting next to him.

I was intrigued to hear the comment of the hon. Member for Glasgow South about which city—if it were a city—Channel 4 would be. During questions in the House I said that if Channel 4 were a city it would be Sheffield, and that belief is based on a simple truth that makes Channel 4 and Sheffield a perfect fit for each other. I hope that I have made clear the strength of the bid that we shall submit tomorrow, but I want to mention how important the bid is and how much we hope to secure the investment. It is because the Sheffield city region is already home to 68,000 businesses, which generate £30 billion a year, but the average weekly salary is £60 less than the UK average, and it is clear that too few people in South Yorkshire have a decent income or get their fair share of the nation’s wealth. The decision to locate Channel 4 in Sheffield would not only add significant weight to the Government’s northern powerhouse but would provide a much needed shot in the arm for our city region—one that has in the past few years created 37,000 jobs. It would do much to tackle existing regional inequalities—something that should be a priority for any Government.

With all that in mind, and recognising that the decision is ultimately for Channel 4, I hope and trust that the Minister will give serious consideration to the strength of Sheffield’s bid and that that will help to ensure that the brand that is “Made in Sheffield” will become as much a mark of excellence in the age of information as it was in the age of steel.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): It is an absolute pleasure to serve under your Chairmanship, Sir Graham, and to put Cardiff’s case for Channel 4. As we are talking about Channel 4, it is right that I should use four Cs to put my case: that we are a creative cultural capital, that we have a diverse community, that we have the cutting-edge capacity that Channel 4 needs and, crucially, that we already deliver a commitment to Channel 4 in our city.

My first speech in this place was about Cardiff and how it has changed over many years. We were at the heart of the industrial revolution and coal and steel exporting across the world; the first £1 million cheque was signed in the coal exchange. I spoke about how the smoke stacks and docks of old were giving way to the brand new creative cutting-edge industries of the future, and the opportunities that they were giving young people in our diverse capital city. That is where I see Cardiff’s future, and I know that view is shared by my colleagues and hon. Friends the Members for Cardiff North (Anna McMorrin), for Cardiff Central (Jo Stevens) and indeed for Cardiff West (Kevin Brennan), although I know he will have to take a careful and balanced view today from the Front Bench. That view is also taken by Cardiff City Council, the city region, our leader Huw Thomas, the Welsh Government and all our arts and cultural institutions, including those in the television and film production sector in Cardiff.

Independent TV already generates £350 million in the Cardiff economy every year. We already have 15,000 people employed in creative and cultural activities—
a ready-made resource of expertise for Channel 4 to tap into. We have 7,000 students studying in the creative sectors in Cardiff at a range of institutions, which I will come on to. We have 3,000 creative companies and facilities located in Cardiff, including those in television and film production. Some are very large, including the famous BBC Drama Village, Pinewood Studios and Wolf Studios Wales. A strong relationship already exists between Channel 4 and Sianel Pedwyr Cymru—S4C—the fourth channel in Wales, and its facilities are not far down the road. We also have the new ITV facility in Assembly Square.

We have fantastic facilities such as NoFit State Circus, the Wales Millennium Centre and the Cardiff Animation Festival, and community facilities such as Indycube in my constituency, which provides facilities for small, start-up creatives that are often supplying the larger facilities, right there and being supported in our community. We also have fantastic locations such as the TramShed.

We have a diverse community; I know many cities around the UK will share that, but Cardiff truly is remarkably diverse, with 100 languages, 100 nationalities and one of the oldest Muslim communities in the UK. In my own constituency alone I have six mosques, three Hindu temples, a synagogue just on the edge, a Sikh gurdwara, a Greek Orthodox church and people who have come from far and wide because of Cardiff’s maritime heritage and our welcoming community. It is a remarkable community to draw on and represents the Wales and Britain of today—a perfect place for Channel 4.

Of course, diversity goes well beyond issues of ethnicity, religion and national origin. As a gay MP, I am proud that Cardiff hosts the Iris prize, one of the leading lesbian, gay, bisexual and transgender film festivals, every year, that we are the host of Pride Cymru and part of the Big Weekend, one of the biggest LGBT celebrations across the UK, and that I am likely to bump into people such as Russell T. Davies down in Cardiff bay. He is the creator of one of Channel 4’s most famous programmes, “Queer as Folk”, and more recently things such as “Cucumber” and “Banana”, as well of course “Doctor Who”, produced in Cardiff.

We have a strong commitment to another issue that Channel 4 is also committed to—disability and Paralympic sport. We are the birthplace of Tanni Grey-Thompson, who learned to swim in the Splott pool in my own constituency and went to St Cyres School in Penarth, and of Paralympic champions such as Aled Davies and others whom Channel 4 has done so much to champion.

We have cutting-edge capacity. We were No. 1 for quality of life in the EU’s city index in 2016. We have the digital connectivity and infrastructure that is driving so many creative film and TV companies to Cardiff. We have those three universities, the Cardiff School of Journalism, Media and Cultural Studies, Cardiff Metropolitan University and the University of South Wales, and we have the Royal Welsh College of Music and Drama generating talent, skills, technical capacity and all the other supplies that Channel 4 will need to be successful in Cardiff. We have that crucial working population of one quarter of a million in Cardiff, and of course we have the wider capital city region. We have places such as Cardiff and Vale College in my own constituency, which I am proud to see building up young people to go into the creative sectors.

Crucially, we are already delivering a commitment for Channel 4. The broadcast award-winning Boomerang, one of the largest suppliers to Channel 4 covering primetime, daytime and sports coverage, is located locally. We have companies such as Nimble Dragon, Avanti, Sugar and Boom Cymru already working with Channel 4, and others are leading the way: One Tribe TV, Tarian, Vox Pictures, Orchard, Bad Wolf and Wolf Studios Wales. We have fantastic post-production facilities, with cutting-edge companies such as Gorilla, and visual effects companies such as Bait Studio, Milk VFX and Reel SFX. Fitting with what Channel 4 is looking for, the executive producer of “Doctor Who”, Chris Chibnall, said, “The talent base here is simply extraordinary, it is ambitious, bold and takes risks.”

That is very much the Channel 4 that I know and love, and that is what Channel 4 can gain from coming to Cardiff. I hope the Minister will listen closely; I hope Channel 4 will listen closely, and I look forward to supporting the bid with all my Cardiff colleagues and those in the wider region in the days and weeks to come.

Sir Graham Brady (in the Chair): In the interest of scrupulous geographical impartiality, I will impose a five-minute limit on speeches.

3.34 pm

Tracy Brabin (Batley and Spen) (Lab/Co-op): I also pay tribute to the hon. Member for Glasgow South (Stewart Malcolm McDonald) for securing today’s debate.

The spread of the creative industries across our country is of great importance to me. I am lucky to have worked in the creative industries for many years, and because of that experience I understand the positive impact that they can have on economic growth, skills, training, employment and regeneration. That is why I see Channel 4’s decision to move significant parts of its operation as a great step and a powerful catalyst for change. The opportunities the relocation brings have caught the attention of many regions, and the Leeds city region, which includes my constituency and the district of Kirklees, is among them. It hopes to spark a revolution in the creative and screen industries in Yorkshire.

Although I am happy to back that bid, I want to ensure that the decision makers do not overlook Leeds’s less well-known neighbours. I hope they look beyond the big cities when choosing where to relocate, and factor in what surrounds those cities. Our towns and villages, such as Batley and Spen, have just as much to offer, and arguably more to gain. This revolution needs to benefit the whole of Leeds and the city region, not just the city. In Kirklees, we have talent, creativity, technical know-how and digital infrastructure to rival what can be found anywhere in the nation.

We are well served for motorway access; we have wonderful picturesque towns and villages, boutique hotels, great restaurants, loads of ice cream parlours, a proud industrial heritage and a vibrant multicultural community, not to mention mile after mile of stunning countryside. Channel 4 need look no further for film locations, from sprawling manors steeped in history and beautiful country parks to thriving urban hubs and heavy industry. “Jonathan Strange & Mr Norrell” and the miniseries “Gunpowder” were both filmed at the stunning Oakwell Hall and country park in Birstall. The Emmy award-winning...
“Hank Zipzer” was filmed in Batley, and Kay Mellor’s series on births, marriages and deaths was filmed in Dewsbury town hall.

Last year, in memory of my predecessor Jo Cox, we brought an acclaimed production of “Les Mis” to the town of Batley. We had a diverse community of 100 young people from across our diverse schools, with an A-list west end professional team sharing their skills and enabling our young working-class kids to punch well above their weight. We proved it could be done, and we will do it again. While Channel 4 is at the forefront of promoting regional talent, we have talent in spades. I beg the Minister to impress on Channel 4 that talent lies not only in the cities, but in the towns that surround them, and that the opportunities in these communities must be part of its thinking when deciding where to relocate. I put my hat in the ring and say that Leeds city region is obviously where my heart lies, but I hope the regional element will also be factored in.

3.37 pm

John Grogan (Keighley) (Lab): This is an exciting process, is it not? It is a great pleasure to follow the inspirational speech of my hon. Friend the Member for Batley and Spen (Tracy Brabin), and I congratulate the hon. Member for Glasgow South (Stewart Malcolm McDonald) on his paean of praise for the great city of Glasgow.

I will make a couple of opening remarks before concentrating on the Leeds city region. It is worthy of note that, for the first time since I was originally elected to the House in 1997, it is uncontested across all political parties that Channel 4 is best in the public sector. To paraphrase Sir Michael Grade when he was chief of Channel 4, Channel 4 can be in the public sector with a public broadcasting remit or it can be privatised, but it cannot be both. The fact that this process is taking place at all is testament to that; long may it remain so.

Another point worthy of note is that the new management of Channel 4 have embraced the process. A year ago, when I was re-elected to the House of Commons and had my first contacts with Channel 4, there were doubts about whether it could possibly come out of London and whether the talent would be available, and we heard about moving schools and all the same sorts of excuses that were made in the debate about the BBC 10 or 15 years ago. I am very pleased. I congratulate Ministers and shadow Ministers on keeping up the pressure; I think Channel 4 management are now behind the process.

Channel 4 is a great British institution. There are few that are similar in other nations in Europe, except perhaps ZDF and ARD in Germany. To have two great public service broadcasters, and Channel 4 with its particular remit, is something that makes me proud to be British.

Moving on to the Leeds city region’s bid, my hon. Friend the Member for Batley and Spen made the very good point that, although people say that their cities are like Channel 4, we have learned politically over the last few years that the United Kingdom is not just about cities. That is one of the strengths of the Leeds city region’s bid. Public investment in television in England and Wales over the last 30 or 40 years has all been in the west of the nation. There is a big gap in the east of the country where there has been no big investment in television and film.

There are obviously two bids here from Leeds and Sheffield, and both have strengths. As the new Mayor of the Sheffield city region, my hon. Friend the Member for Barnsley Central (Dan Jarvis), progresses in that role over the coming years, Sheffield will develop magnificently. At the moment, as an impartial judge from Keighley, I say that Leeds probably has the edge in terms of its creativity and of its being in the fastest growing area for television production throughout the country, and probably in terms of transport—until the new Mayor has had his full impact on improving Sheffield’s transport links. I would probably just about give it to Leeds.

However, I think we agree that it would be outrageous—I use that word advisedly, Sir Graham—if there was no representative from God’s own county on the shortlist that Channel 4 draw up. That is inconceivable, particularly given the investment record in the east of the country. I hope that, whether it is Leeds or Sheffield—unless both progress to the next stage—if only one Yorkshire city or region is on that shortlist, we will all unite behind it.

This is a marvellous opportunity.

Alex Sobel (Leeds North West) (Lab/Co-op): To further make the case for the Leeds city region, we have the infrastructure, we have Sky, we have Perform and we have Yorkshire TV. We have Rockstar Leeds, the makers of Grand Theft Auto, which has sold more than 250 million copies around the world. We have Pace and ARRIS in Saltaire, which power internet and TV for hundreds of millions of people globally. We have the people and we have the infrastructure, does my hon. Friend not agree?

John Grogan: I do agree. One thing I admire about my hon. Friend is that he is much trendier than I am and is so much more in touch with the creative hub that is Leeds. He is right to say that Leeds has not only the history—Yorkshire Television and so on, which led to the spinning out of many production companies—but also this whole new phase and new generation of talent. I very much hope that Channel 4 recognises that.

3.42 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Thank you for your robust chairmanship and discipline so far in ensuring a geographical spread of speakers, Sir Graham. I congratulate my Glaswegian colleague and friend, the hon. Member for Glasgow South (Stewart Malcolm McDonald), on bringing the debate. He made a marvellous, erudite case for Glasgow, which I hope to embellish on somewhat.

When considering Channel 4’s new “Location, Location, Location”, where better than where that magnificent programme, which is a great standard bearer for Channel 4’s publishing capability, is produced—in Glasgow? It is an independent production by IWC Media and is one example of the great pedigree that Glasgow already has in broadcast media. Where better for Channel 4 to relocate than Glasgow?

Glasgow’s relationship with public service broadcasting goes back to the very father of public service broadcasting. John Reith, who was educated in Glasgow and cut his teeth as an apprentice at the North British Locomotive Company in my constituency before traveling to London to set up the BBC in 1922. Glasgow’s relationship with the spirit of public service broadcasting is as old as
public service broadcasting itself, and is embellished both by the grit of the city’s industries and the glamour of its creative capacity.

Bound up in the spirit of Channel 4 is its ability to take risks and to be radical. Who was more radical than John Logie Baird himself, one of the pioneers of television, who pioneered his craft at what became the University of Strathclyde and transmitted the world’s first long-distance television pictures to Glasgow’s Grand Central Hotel in 1927?

Glasgow today hosts two of the main broadcasters in the United Kingdom, including the ITV franchise Scottish Television, which started in 1957 and was born out of Glasgow’s music hall and theatre tradition, based at the Theatre Royal in the city. That tradition continues today. Think of “Mrs Brown’s Boys”, one of the greatest productions on the BBC and one of its greatest comedy shows. It was born out of the risk taken by Iain Gordon, the proprietor of the Pavilion Theatre—the only independent theatre in Scotland—in bringing the stage show to Glasgow. As a result, it spun off and had such roaring success that it became an amazing BBC production. That shows the risks taken by our city’s cultural champions at every level, from theatre through to broadcast media itself.

BBC Scotland, the mainstay of Glasgow’s broadcast media capability—launched formally in 1968 but based in the city since 1957—broadcasts 15,000 hours of radio and television productions per year. That is one of the striking things about Glasgow’s capacity: its broadcast media production capability. When I went down to Channel 4 last month, when it launched its call for places in the UK to bid for the relocation of its headquarters, one thing that struck me about its building in Victoria was that it has no studios. Channel 4 does not produce; it is a publisher. Critical to Channel 4’s criteria for its location is its desire to be at the centre of a major hub and a major ecosystem of production capability.

That is where Glasgow has great strengths. It is already at the centre of an unrivalled capacity for delivering broadcast media production, ranging from massive global hits such as “Outlander”, which is filmed and produced at studios in Cumbernauld in the greater Glasgow city region, through to “Question Time”, which I am sure many Members are familiar with and which is produced by Mentorn Media, based in Glasgow. An old university colleague is an assistant producer on “Question Time”; I know many people who are highly involved in broadcast media production in Glasgow. There is a great talent base in the city to draw on.

Stewart Malcolm McDonald: Does the hon. Gentleman know that a Glasgow MP—one of my predecessors, the late Sir Teddy Taylor—appeared on the first ever edition of “Question Time”?

Mr Sweeney: There we go. We have a fine tradition, from creative comedy to drama, including political drama. Glasgow has a fantastic pedigree across the full spectrum of broadcast media production.

My experience of working in industry showed me that Glasgow always has that creative potential, with the interface of engineering, creativity and innovation working with Glasgow’s creative sector.

Chris Stephens (Glasgow South West) (SNP): The hon. Gentleman makes an important point: would it not be wonderful for STV and BBC Scotland to be joined on the Clyde by Channel 4, just next to the shipyards for which he and I have a great passion?

Mr Sweeney: I share the hon. Gentleman’s sentiments. That great creative media hub at the heart of Glasgow, at Pacific Quay, would be a magnificent centre for Glasgow to host Channel 4. There is so much opportunity there. It is a former industrial site that can be easily developed to meet the needs of Channel 4. There are also lots of other options, from CityPark in Dennistoun in my constituency, for which Stuart Cosgrove—a constituent of mine—is leading a bid, down to Film City in Govan, which is the old Govan town hall and has been converted into the most fantastic media hub for Glasgow and for Scotland.

My experience of working with Glasgow’s creative sector was as a shipbuilder. We were looking at creating a museum of Glasgow’s shipbuilding heritage. Sir Alex Ferguson, as a son of Glasgow, proudly sponsored the creation of a digital, virtual-reality reconstruction of Glasgow’s shipbuilding industries. I share the sentiments wishing him all the best in his recovery from his recent illness.

I was involved in helping to create that reconstruction with the Digital Design Studio—now the School of Simulation and Visualisation—which is part of the Glasgow School of Art. After we created it, it was so impressive that BAE Systems decided that it wanted to utilise it for modern shipbuilding. That is an example of how Glasgow’s creativity and media production could actually help to generate innovation, even in the old industries, as we have seen; we created new innovations in engineering. That is exactly the sort of dynamism and creativity that Glasgow is all about.

That is just one example of how I have interfaced with that, and it shows why Glasgow offers such a good opportunity to be the heart of Channel 4’s production capability—by plugging into that great ecosystem at the heart of the city. I have every confidence that Glasgow will present a robust bid that will be looked upon very favourably by Channel 4, and which will plug into the best traditions of Glasgow—innovation, creativity and dynamism.

3.49 pm

Rachael Maskell (York Central) (Lab/Co-op): I thank the Backbench Business Committee for granting today’s debate. It is no coincidence that five hon. Members from the Leeds city region—I say “York and Leeds city region”—are here for the debate. Because of the sheer scale of the creativity, talent and diversity across our region, it is crucial that we speak up for the future of the region, but also for the future of this sector. We must see this as a global opportunity for Channel 4. There are major export opportunities for our economy, but also opportunities for serving the public and enriching our culture at the same time. Media is so powerful in its execution, and this proposal provides a real opportunity to rebalance our economy and to celebrate the diversity of our communities as we move forward.

I will say York’s piece, because colleagues have spoken for their own part of the region. York is a city that is transitioning from the Vikings, steam trains and chocolate
that we all think about to one that now stands as the UK’s only UNESCO city of media arts. It is unrivalled in its digital and media offer and is one of 14 global cities within that footprint of UNESCO. It is where the past meets the present and it provides the platform to shape the future. Today, I want to extol the virtues of York as the place for Channel 4 to find its home.

Educationally, we see the city advancing in the creative sector. I am thinking of Manor school and its state-of-the-art studios to develop pupils’ interest in the sector; the investment that the independent-state schools partnership puts into the media industry to draw on the talent of the children of our city and give them the opportunity to experience the sector; and the outstanding York College, which provides a platform for academic and vocational excellence. We have two fantastic universities: York St John University and the University of York, which is now third in the nation for film and television production. Impressive as it is, its reputation is growing; I visited only recently.

York is a desirable place to live. In fact, it comes out consistently as the UK’s No. 1 place to live and to visit, with 7 million visitors each year. With its connectivity, the city is like no other. We have the TransPennine Express—it will be express, particularly under a Labour Government when we get electricity on the line. We have the east coast main line, which means that we are within two hours of London, and again, journey times will be shortened, because High Speed 2 will be arriving at the heart of our city. Seven million people can reach the region within an hour.

We have an opportunity to create and shape the future of that part of the country as we see the creative sector growing. I am thinking of the Mediale festival, a digital media festival at the heart of York. The Castle Gateway project is moving forward; that area will be York’s new cultural hub.

I will focus my final comments on the economic opportunity and cultural opportunity that York offers. Next to the station is a 72-hectare site, the biggest brownfield site in Europe, where Channel 4 can come and shape its future and the future of our city. In its digital connectivity, the city of York is like no other in the UK. It is the first gigabit city in the UK, with its extensive dark fibre network.

As a city, we have grown in the new technologies of the future, and the digital creative sector is at the heart of stretching our economy into new fields. It is certainly the way forward for Channel 4; it will see a skills base on which it can draw. The digital creative labs in York are unparalleled in the research that they are doing. That is driving the sector forward. The studios at Church Fenton have such a reputation; we have heard about the films being made. There is also the gaming industry; we can look at the creative industry on that front. Again, we are at the forefront. York provides a massive opportunity for Channel 4 to find its new home, and it will reach into the whole business community of the city. It will give the perfect offer to Channel 4.

3.54 pm

Alison Thewliss (Glasgow Central) (SNP): I am delighted to be able to speak in support of the proposal that Channel 4 come to Glasgow, the city that I represent. I express my solidarity with Team Glasgow, who are heading down on the train from Glasgow just now. To my council colleagues, Stuart Cosgrove and the rest of the team who are on the train on their way down here with the bid document, I say that I look forward to their safe arrival in the city. I like to think that we are playing for the away team and they are the home team, coming down to do their very best for us.

Glasgow is very much the right city for Channel 4, because like Glasgow, Channel 4 is pure gallus, and it has been from the start. It offers something that challenges, that is different and that is unusual, and it seeks to find the stories that we do not get in other places; that is certainly the story of Glasgow.

Already, as other hon. Members have said, there are production companies that are based in Glasgow and going about the business of telling the stories of the people. Firecrest Films specialises in documentaries, such as “Breadline Kids”, which brought the story of people who were in severe poverty to our screens. Nicole Kleeman says that basing Channel 4 in Glasgow would be an “enormous opportunity in Scotland”. It is currently telling the story of the cancer hospital, the Beatson, which many of my constituents have found very moving. They can see their own stories reflected in those documentaries.

Matchlight, which is also based in Glasgow, says: “Glasgow is inherently diverse in all measures. It would be a great home for the channel. TV must represent all of the UK if it is to be relevant to the audience.”

Matchlight also works in Gaelic. It does production for BBC Alba as well as for Channel 4, where it works for “Dispatches”, which, as we all know, tells really deep and important stories and brings them to light.

Raise the Roof is the UK’s sixth fastest growing indie producer and is also based in Scotland. It is the biggest Channel 4 supplier from Scotland, and very proudly so. Not only does it do work here, but its very successful production company, which was built through Channel 4’s programmes, exports to 37 countries around the world, so this activity is not just of benefit to Glasgow, Scotland or the UK; we are growing the ability of our native producers to export to the world. Chris Young of Young Films, who is best known for “The Inbetweener” and is based in Skye in Scotland, also says that basing the channel in Glasgow would be a game changer for Scotland.

Luke Graham (Ochil and South Perthshire) (Con): I could not agree more with the hon. Lady’s advocacy of the strength of the Glasgow bid. Two “Star Wars” actors, including Ewan McGregor, came from my constituency of Ochil and South Perthshire. Does she agree that locating Channel 4 in Glasgow will provide opportunities and inspiration not only to the city, but to the counties and regions that surround it?

Alison Thewliss: I very much agree. One frustration that I picked up in meeting some of the production companies and Channel 4 at a meeting that it hosted with me in Glasgow, at its West George Street base, was that of always having to look at things through a London lens. The creative decision makers at Channel 4 are often based down here, so basing Channel 4 in Glasgow would be a radical decision that would re-tilt the axis of the media in the UK. I feel that it would also bring benefits to Northern Ireland, which is within close travelling distance of Glasgow, and to the north of England. It would fundamentally change the way in which the media work in the UK.
Glasgow is many things, but it is also very closely bound together. It is a very cohesive city; we cannot ignore one another in the street. As my hon. Friend the Member for Glasgow South (Stewart Malcolm McDonald) and the hon. Member for Glasgow North East (Mr Sweeney) mentioned, it has diversity. It has people who have lived in Glasgow all their lives; interlopers like me, from Lanarkshire; and people from Somalia, Pakistan, Eritrea, China and Afghanistan. They have all come together and live cheek by jowl—not across boundaries, but cheek by jowl with one another in one of the friendliest cities in the world.

I would like to tell a wee anecdote to exemplify just how friendly Glasgow is. At an event that Radiant and Brighter—an organisation that helps to support people who come to the city from other countries—held at the city chambers in Glasgow, a doctor who was speaking at the meeting said, “My experience of coming to Glasgow was that I came out of Central station and was a bit lost. I didn’t know where I was going, so I asked somebody. That person not only told me where to go; he took me to where I was going. He took time out of his day to take me along the street and around the corner to the place that I needed to get to.” That typifies Glasgow for me: people are so friendly that they will go out of their way to help others and make them feel at home.

Channel 4 would be very welcome in the city as a large employer, but also as part of the creative culture of the city. We have in the city the Royal Conservatoire of Scotland, bringing through great, wonderful arts graduates. There is also the Glasgow School of Art, which is a beacon of art and design. There are also other universities and colleges within the city, all of which produce great talent that would be very well employed at Channel 4.

I would like close with an anecdote from a member of my office staff, Alexander Belic, who had cause to leave the city for a brief period earlier on today. He told me what he saw when he came back in:

“There is a busker performing ‘No Diggity’ on a guitar and a leprechaun releasing torrents of bubbles down Buchanan street—what a town.”

I think Channel 4 would fit well within Glasgow. I welcome it to choose Glasgow and back our bid.

Sir Graham Brady (in the Chair): We now have three Front-Bench wind-ups and a moment or two at the end for Mr McDonald to wind up, too.

4 pm

Brendan O’Hara (Argyll and Bute) (SNP): It is a pleasure to serve under your chairmanship, Sir Graham. This is an important debate about one of the most exciting media developments that has happened in the UK in many years. As many others have done, I congratulate my hon. Friend the Member for Glasgow South (Stewart Malcolm McDonald) on securing this debate. I thank all hon. Members for their contributions in this well-informed and highly entertaining debate.

I wonder if hitherto Channel 4 had any idea just how popular it was. There is hardly a nation or region that has not extolled its virtue this afternoon. In many ways, however, this debate is an after-party. As us luvvies would say, we have retired to the green room. Those who were here bright and early this morning will know that the bidding war started at Digital, Culture, Media and Sport questions. No one should be surprised that the first shots in that war were fired by my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock), who was of course backing Glasgow’s bid to be the home of Channel 4’s national headquarters. By the end of DCMS questions, supporters from Sheffield, Birmingham and Lichfield had made their pitches too. I believe there were others, but I suspect that many of those were hon. Members who had not a clue what was happening. They had walked into a bidding war and wanted to ensure that their constituency did not miss out on what was on offer.

As anyone will testify, I came to this debate as a fair and honourable man, and with a completely open mind. But having heard so many excellent speeches from hon. Members from different areas across the UK, I have decided to throw my not inconceivable weight behind the Glasgow bid. Yes, I can see the shock on the faces in front of me, but I have been persuaded by the excellent contributions from my hon. Friends the Members for Glasgow South (Stewart Malcolm McDonald) and Glasgow North East (Mr Sweeney).

I endorse everything they said. If Channel 4 is seeking a new location, location, location, there is nowhere better suited than Glasgow.

As Stuart Cosgrove, the broadcaster and journalist chairing Glasgow’s bid, said:

“Glasgow is in tune with the values that are at the heart of Channel 4—diversity, equality, innovation with a bit of irreverence thrown in.”

He could have added to that if Channel 4 wants to relocate to a city that already boasts a thriving independent production and freelance sector; a city where both the national Government at Holyrood and local government in George Square are totally committed to supporting the film and television sector; and a city where there is a vast array of creative and cultural talent that is ready, willing and able to get to work, that city is Glasgow.

Stephen Kerr (Stirling) (Con): Does the hon. Gentleman agree that it is the people of Glasgow who create that environment, which allows that degree of creativity?

Brendan O’Hara: I could not agree more. It does not happen often—let us call it a red-letter day—but I believe I am in agreement with the hon. Gentleman. As the leader of Glasgow City Council, Susan Aitken said, our city has

“a high concentration of skills, academic excellence and a highly qualified workforce.”

Although I am the proud representative of Argyll and Bute, I am a proud Glaswegian to my bootstraps. As someone who has spent the majority of their working life making television programmes for the Scottish, UK and international markets from Glasgow, I cannot think of a better place for a vibrant, exciting, innovative and daring broadcaster to set up its headquarters than Glasgow.

Although this is a bid for and on behalf of the city of Glasgow, it is in many ways Scotland’s bid. Scotland’s First Minister gave it her unequivocal backing, when she said:

“the unique character of Glasgow, multicultural, welcoming, hugely creative, and irreverent, is a great fit for Channel 4.”
In an almost unprecedented move, the leaders of all of Scotland’s political parties are united in support of this bid. If that were not enough to persuade Channel 4 to move to Glasgow, the fact that the city of Edinburgh is prepared to set aside ancient rivalries to support Glasgow’s bid should tell Channel 4 that there are now no limits to what it can achieve by setting up its national headquarters on the banks of the Clyde.

Glasgow fits all the criteria like a glove. It ticks all the boxes: population size, proximity to centres, and the level of physical and digital connectivity. Glasgow is already home to BBC Scotland and STV. It boasts of having the National Film and Television School hub, based at Pacific Quay. Channel 4 itself has had a presence in the city for many years.

Mr Sweeney: When it comes to journey times, there is a three-hour target. I can get from my flat in Glasgow to the door of my office in Westminster in three hours. Not only that, but we have a commitment from the Department for Transport that HS2 will deliver three-hour journey times by rail as well. Does the hon. Gentleman agree?

Brendan O’Hara: Anything that can speed up journey times to Glasgow has a beneficial effect for the whole of the United Kingdom. I am certain that Glasgow City Council would make the transition for Channel 4 as painless as it could possibly be for the company, its employees and their families—more painless than Phil and Kirstie could ever do. We have heard welcome contributions from the hon. Members for Birmingham, Northfield (Richard Burden), for Liverpool, Riverside (Mrs Ellison), for Barnsley Central (Dan Jarvis), for Leeds North West (Alex Sobel), for Cardiff South and Penarth (Stephen Doughty), for Batley and Spen (Tracy Brabin), for Keighley (John Grogan)—the Mayor of Sheffield just learned the old adage that the opposition may be in front of you, but you your enemies are most certainly behind you—for Glasgow North East and for York Central (Rachael Maskell). I imagine that if some enterprising producer is watching this debate, there is a fantastic new Phil and Kirstie series to be made, based on that list of people trying to get relocation, relocation, relocation to their town or city.

For me, the most important contributions have come from my hon. Friends the Members for Glasgow Central and for Glasgow South. My hon. Friend the Member for Glasgow Central was absolutely right when she said that Glasgow is indeed “pure gallus”. I believe it is that gallusness that sets it apart from any other bid. She was right to highlight the welcoming nature and cultural diversity of Glasgow. As the mover of the motion, my hon. Friend the Member for Glasgow South, said, we have Chinese, Pakistani, Indian and Caribbean communities, as well as an array of African communities and a multitude of our highly valued EU citizens, including—I just found this out today—our Lord Provost, who is Swedish-born. Glasgow has always had worldwide appeal, and that is reflected in the cultural diversity of our city. It is a major attraction to a broadcaster such as Channel 4.

In conclusion, I thank my hon. Friend for securing this debate and I thank all who took part. It has been well informed and hugely entertaining, a bit like “Channel 4 News”. As my SNP colleagues have said, we very much welcome Channel 4’s decision to move its national headquarters out of London. It is something that I have wanted to happen for a long time, both in my career as a television producer and latterly as a politician. Indeed, I raised the matter with David Abraham, the Channel 4 CEO, at his final appearance before the Digital, Culture, Media and Sport Committee last year. I spoke of the frustration that producers felt about having to come to London from Scotland, Wales, Northern Ireland, the north-west of England or wherever to pitch an idea to a London-based commissioner, who they just knew did not quite get it because he or she did not live in the same world. To move out of London can only be a good thing for Channel 4, for creative sectors across the UK and for those communities whose voices and stories are rarely heard.

Whichever city Channel 4 decides to move to, I guarantee that it will find no warmer welcome and no greater support from local and national Governments than it will receive in Glasgow, and it will not meet a more creative and multicultural community ready to make an outstanding success of the move than that of Glasgow.

4.9 pm

Kevin Brennan (Cardiff West) (Lab): I congratulate the hon. Member for Glasgow South (Stewart Malcolm McDonald) on securing this interesting debate. The message that we should all take away is that we have great cities and towns around the United Kingdom that are all ready to bid for the wonderful opportunity of the relocation of Channel 4’s headquarters and the creative hubs.

The hon. Gentleman reminded us of the connection between the city of Glasgow and Nelson Mandela and, by coincidence, I was in Cardiff on 16 June 1998 when Nelson Mandela received the freedom of the city. The hon. Gentleman also made a strong case for the city of Glasgow, and it was heartening to hear such a full endorsement from the SNP of a pitch process entitled “4 All the UK.” That can only be a welcome development.

On a serious note, he rightly highlighted the merits of his city and its wonderful creative sector.

My hon. Friend the Member for Birmingham, Northfield (Richard Burden) described Birmingham as both the least and the most disruptive choice for Channel 4 in an imaginative and creative use of language, and made an extremely strong case for his city.

My hon. Friend the Member for Liverpool, Riverside (Mrs Ellison) made her pitch for the wonderful city of Liverpool. She described it as the most filmed city outside London, which is a statistic I was not aware of. She did not mention the marvellous Liverpool Everyman Theatre, where my brother, Patrick Brennan, is starring as Iago in “Othello” and as Ben Rumson in “Paint Your Wagon” as part of the Liverpool Everyman rep revival, which has gone so well and had marvellous reviews. Tickets are available from all the usual locations. It is a wonderful city with a marvellous cultural heritage. In promoting it, she did not even emphasise the Beatles that much, which shows that there is an extremely broad and wonderful cultural offer in the city of Liverpool, which is another worthy candidate for Channel 4’s relocation.

My hon. Friend the Member for Barnsley Central (Dan Jarvis) is the newly elected Mayor of the Sheffield city region, so may I take the first opportunity to congratulate him publicly on that achievement? He described our
Kevin Brennan: I am not one to blow my own trumpet, so I will not comment further on that, and I do not want to endanger my relationship with my hon. Friends by saying anything further about Cardiff’s bid.

May I take this opportunity to wish my hon. Friend the Member for Batley and Spen (Tracy Brabin) a happy birthday? She was seen celebrating last night, and she is looking remarkably fresh today. I will say no more. She eloquently made an important point about the need to ensure that our creative industries serve our towns as well as our cities. She also pointed out that our creative industries often rely on locations out of cities in the countryside—our heritage locations—which hon. Members have celebrated here and in other debates on tourism and the creative industries. We should remember how important that is to channels such as Channel 4. In particular, I praise her efforts last year, and the efforts of the commission she worked on, to open up opportunities for working-class children in the creative industries. I strongly commend her for that, and she made a very good speech today.

I am sorry to admit that I have known my hon. Friend the Member for Keighley (John Grogan) for more than 35 years, which is a long time. He made a strong case for the Leeds city region. He rightly pointed out that we have reached a consensus about Channel 4’s headquarters. I will say no more than that, in case I get into a lot of trouble with my hon. Friends.

Stephen Doughty: I thank my hon. Friend for his kind comments. There is another benefit for Channel 4 in that it could have two diversely performing MPs. He performs with MP4 and has a TV career, and I performed with my a capella group, House of Chords, at Pride Cymru last year. Channel 4 would have performers in its MPs as well.

Kevin Brennan: Well, not all of them—a small smidgen of the production companies based in the city of Glasgow. Again, she made a powerful case on Glasgow’s behalf.

I will say a word or two about Channel 4. We welcome the fact that Channel 4’s status in the public sector has been confirmed and that the Government have decided that they will not pursue its privatisation, which was under consideration. We welcome the process that Channel 4 has begun, because it is important that our creative industries are spread around the country and not just based in the city of London. Talent is everywhere in the UK, as we have heard, but the opportunity to exploit that talent or to work in the creative industries is not always equally spread.

This is an important moment. Hon. Members may guess my private thoughts on the matter, but whoever wins the bid, it will be a major step forward in ensuring that that opportunity is spread around the country so that talent from all sorts of backgrounds and all parts of the United Kingdom has a chance to prosper in our wonderful creative industries.

4.18 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis): It is a great honour and pleasure to serve under your chairmanship, Sir Graham. You may be forgiven for thinking that you have been presiding over a constituency candidate selection process, with everybody speaking so eloquently and passionately about their own area, but at least it was not a beauty contest, because that would have been very difficult for you indeed.

The first thing I want to do, of course, is to thank the hon. Member for Glasgow South (Stewart Malcolm McDonald) for introducing this debate on Channel 4’s relocation proposals. He spoke eloquently, as he usually does, and passionately about his constituency and his home town, where he was born and brought up, as did all the other Members who spoke about their own local areas this afternoon.

That includes the hon. Member for Birmingham, Northfield (Richard Burden), who powerfully extolled the virtues of Birmingham and the west midlands, including the impressive transport links, and the hon. Member for Liverpool, Riverside (Mrs Ellman), who is always very persuasive. She asked questions that I will come to in more detail in a moment. However, this is of course a matter for Channel 4; it is Channel 4’s process.
It is not a matter for Ministers. It is an ongoing process, it is well-publicised and we will work to ensure that Channel 4 delivers on it.

The Government were very happy to reach an agreement with Channel 4 earlier this year for it to increase its regional impact. As Members from across the House have said, that is very important. We also want to protect and enhance this important public asset, to make sure that it has a bright and sustainable future in a fast-changing broadcasting landscape. We are conscious of that and it is what we want to do—to support Channel 4 in that endeavour.

The Government have long been clear that Channel 4 should have a major presence outside London and should increase out-of-London commissioning. There is an awful lot of talent out there, outside London as well as in it, and as a publicly owned public service broadcaster Channel 4 should do more for the entire nation, and should represent and reflect the voices of those who live outside the capital city. The Government are committed to that aim and to spreading opportunity throughout the United Kingdom, and we want Channel 4 to be a part of achieving it by stimulating creative and economic activity right across the country.

Last year, we ran a public consultation on the future of Channel 4. An overwhelming majority of respondents agreed that Channel 4’s regional impact would be much enhanced if more of its activities took place outside London and more of its staff were based outside London. I think we can all agree that it is not right that at the moment only 3% of Channel 4’s staff are based outside London. Public service broadcasting should mean serving the whole of the United Kingdom, not just those in the capital or indeed those in the bubble of Westminster.

Channel 4 spends around twice as much on programming made in London as it does on programming made in the rest of the United Kingdom combined. Its physical concentration in London is reflective of a wider trend in the broadcasting and production sector, where we have not hitherto seen an even distribution of growth. Although only 20% of the population of this country live in London and the south-east of England, over two thirds of UK producers are based there. It goes without saying that that limits the spread of jobs, prosperity and opportunity outside the capital in all our wonderful geographical locations, and also limits the representation of local views and local interests on television. People seeking to work in the media should not feel that they have to move to London to do so.

Channel 4’s series of proposals, announced in March, will help to reverse that trend. Channel 4 agreed to establish a new national headquarters in the nations and regions, with 300 staff outside London, including key creative decision makers. That number will also rise over time. Moreover, Channel 4 will establish two other smaller creative hubs across the UK. As a consequence, its London footprint will reduce and its headquarters in Horseferry Road will become its London HQ.

Channel 4 will also increase its out-of-London commissioning—this is very important—to more than 50%, stimulating the creative economy across the country. Channel 4 estimates that this will lead to £285 million more spending out of London than is required by Ofcom. Channel 4 will strengthen its regional impact on screen by becoming the first channel to co-anchor its evening news bulletin from a new regional studio, which is also symbolic and important. It will help to provide a gateway for journalistic talent in the nations and regions to reach “Channel 4 News”. Channel 4’s proposals will mean visibly reflecting the regional diversity of our country, both on and off screen, and according to economic analysis that my Department has commissioned these measures could support an overall redistributive regional impact of close to 2,700 regional jobs.

Channel 4 launched its pitch process, as it is called, in April, inviting bids from cities across the United Kingdom to find the locations for its national HQ and creative hubs. This process is currently ongoing and will allow Channel 4 to carefully consider a range of different cities across the nations and regions. Following the completion of that bidding process, Channel 4 will look to announce its decisions by the autumn of this year and will be moving staff by the end of 2019.

I am sure that Channel 4 is paying close attention to the debate—during it, people have been doing some showreels to get on “Channel 4 News” tonight—and to all the pitches that it receives from across the spectrum, including, of course, from outside this Chamber. I am confident that it will receive impressive bids from across all of the United Kingdom.

This historic deal marks the start of a bright future for Channel 4. Since its establishment over 35 years ago, and I am old enough—just—to remember its opening day, Channel 4 has had an enduring impact on UK culture and UK society. I am sure that we will see it go from strength to strength under the imaginative new leadership of Alex Mahon. Channel 4’s remit includes leading the way in regional representation and that “Folk”, “The Last Leg” and many others.

Channel 4’s regional proposals show that it is now leading the way in regional representation and that Channel Four Television Corporation is indeed a public service broadcaster that truly provides for the entire country that owns it, which is crucial. This deal will have far-reaching implications for the entire broadcasting sector—it is groundbreaking in that sense—and I hope that others will look to follow Channel 4’s bold lead.
I will just end with one thing that Billy Connolly said about Glasgow, a place that he left to go and explore the world as a fantastic comedian but always loved to come home to. He said that when you arrive in Glasgow and step off the train at Glasgow Central station, it is the only city on Earth that you can feel rise up through the soles of your feet, and we invite Channel 4 to come and experience that.

Question put and agreed to.

Resolved.

That this House has considered the relocation of Channel 4.

4.29 pm

Sitting adjourned.
Regulation also has an important role to play. Since 2010, our building regulations have required carbon monoxide alarms when solid fuel appliances are installed and in 2015 we introduced further regulation to require alarms when homes that have a solid fuel appliance are privately rented. The Government have consulted recently on the effectiveness of the regulations in the private rented sector.

As a result of our actions, the number of carbon monoxide poisonings has fallen and incidents are thankfully rare but we cannot be complacent.

In recent years there have been improvements in carbon monoxide alarms and the cost has fallen and Government think it is now right to look at the requirements for carbon monoxide alarms generally to see whether they need to be strengthened.

The Government are therefore launching a review of the requirements and the evidence base which underpins these with a view to consulting by the end of the year. Any future changes in requirements would take account of the outcome of the Government’s consultation on the operation of private rented alarm regulations and the Dame Judith Hackitt independent review into building regulations and fire safety. [HCWS657]

JUSTICE

Justice Update

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): On 9 January, I announced an immediate review into: the transparency of Parole Board decision making; whether there should be a mechanism to allow parole decisions to be reconsidered; and victim involvement in the parole process. On Saturday I published the full findings of that review and the action I will take in response.

The review has looked at issues with the parole process as a whole following the Parole Board’s decision to direct the release of John Worboys. Under the current law, the policies and procedures of the Parole Board mean decisions are taken behind closed doors. Open justice is an important principle of our justice system. It must not only be done; justice must be seen to be done.

Victims, and the public, must have confidence in the criminal justice system. Parole Board decisions are inevitably difficult, but this makes it even more important that information is available about how the process works. We must support victims as they continue to suffer from the impacts of the crimes committed against them, and make sure they receive timely and accurate information about what is happening in their case, delivered in a considerate way.

This review sets out the action the Government will take. We are:

removing the blanket prohibition on the disclosure of information about Parole Board proceedings, so that victims can be given summaries of the reasons for the board's decisions. Where the Parole Board chair considers it to be in the public interest, summaries will also be available to the public and the media on request. There will be a presumption that this will happen. This change will come into force on 22 May 2018;

### HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

**Carbon Monoxide Detection and Safety**

The Minister for Housing (Dominic Raab): Carbon monoxide which can be released if a boiler or fire is faulty or poorly maintained can be a silent killer.

The Government take the risk and consequences of carbon monoxide poisoning seriously and we have been working closely with my hon. Friend the Member for Walsall North (Eddie Hughes) on this important life safety issue.

The Government with their agencies continue to raise awareness about the risks. For example, our national fire safety campaign helps fire and rescue services promote carbon monoxide messaging and Gas Safety Week is a national campaign to help raise awareness in homes with gas appliances.

### BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Business Update

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): I am today publishing a consultation document which sets out a range of proposals to reform the law governing limited partnerships, including Scottish limited partnerships.

The United Kingdom has a global reputation as a great place to do business. People looking to grow or relocate a business come to Britain confident in our high corporate standards. Part of that confidence derives from our strong transparency requirements, which ensure people know who they are doing business with. Transparency also helps combat illicit activity which is a vital underpinning of the UK’s business environment, a key theme of the Government’s industrial strategy.

The UK is a world leader on corporate transparency and we want to retain this position, so we continue to look for opportunities to improve the transparency and integrity of our legal framework. In response to concerns that limited partnerships might be being misused, we sought and received evidence last year. The evidence demonstrates that the limited partnership, including its Scottish form, continues to fulfil important functions in key sectors of our economy. But it also highlighted that there are ways in which the legal framework governing limited partnerships could be strengthened and updated.

The proposals I am consulting on aim to strike the right balance between maintaining high corporate standards while maintaining the UK’s attractiveness as a place to do business and I look forward to hearing from interested parties.

I have placed copies of the consultation document in the Library of the House. [HCWS656]
launching a consultation on a new process to allow reconsideration of Parole Board decisions on whether to release a prisoner. We envisage a judge-led reconsideration process which in some circumstances could be open to the public, and with the individual or panel that makes the reconsideration decision named. This consultation will consider how the new process should operate and will be open until the end of July. Once that has completed I will set out my plans for bringing the changes into effect; and,

making immediate changes to how we communicate with victims. We are widening access to the Victim Contact scheme and considering further changes to be included in the Victims’ strategy which we will publish this summer.

In addition to the immediate actions I am taking forward as a result of the review, I have also announced a comprehensive examination of all 27 of the Parole Board rules to ensure that the processes and procedures as a whole are right and fair.

This initial package of measures sets out the immediate action we are taking. It is a vital first step in moving toward a parole system that ensures greater openness, challenge and involvement of victims in the parole process, and towards restoring the confidence of victims and the wider public in the justice system.

[HCWS655]
Written Statements

Tuesday 1 May 2018

DIGITAL, CULTURE, MEDIA AND SPORT

Media Matters Update

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): On 23 April I confirmed that I had written to Trinity Mirror plc and Northern and Shell Media Group Limited to inform them that I was minded to issue a public interest intervention notice (PIIN) on the basis that I had concerns that there may be two public interest considerations—as set out in the Enterprise Act 2002—relevant to consideration of the merger.

The first public interest ground is the need for free expression of opinion, and concerns the potential impact the transfer of newspapers would have on editorial decision making. The second public interest ground is the need for a sufficient plurality of views in newspapers, to the extent that it is reasonable or practicable.

I invited written representations from the parties by 26 April and, having considered these, I have written to the parties today confirming my decision to issue a public interest intervention notice (PIIN) on both grounds.

This PIIN triggers action for Ofcom to report to me on the media public interest considerations and the CMA on jurisdiction and any competition issues, respectively, by 31 May 2018. I will then consider whether or not to refer the merger for a more detailed investigation, or whether to accept undertakings in lieu of such a reference.

The role of the Secretary of State, in this process, is quasi-judicial and procedures are in place to ensure that I act independently and follow a process which is scrupulously fair and impartial.

[HCWS663]

Fox-Sky Merger Update

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): On 23 January I provided an update to the House on the Competition and Market Authority’s interim report on their investigation into the proposed merger between 21st Century Fox Inc. and Sky Plc.

Today I received the final report from the CMA regarding the findings of its phase 2 investigation. Now that I have received this report, I must come to my decision and publish the report within 30 working days (by 13 June). My decision will be on whether the merger operates or may be expected to operate against the public interest, taking into account the specified public interest considerations of media plurality and genuine commitment to broadcasting standards.

When I have reached a decision I will return to Parliament to make an oral statement. I will come to a view on whether to make a final order or accept any final undertakings in due course, and will consult on these publicly, but not before I have taken a decision on the public interest tests.

Given my ongoing quasi-judicial role, I will not be making any comment about the substance of the report until I publish my decision.

[HCWS662]

FOREIGN AND COMMONWEALTH OFFICE

Beneficial Ownership in Overseas Territories and Crown Dependencies

The Minister for Europe and the Americas (Sir Alan Duncan): Illicit financial flows are a global threat to prosperity and the rule of law. The IMF has estimated that money laundering globally represents between 2 and 5% of GDP. This criminal activity facilitates other crimes—including corruption, tax evasion and fraud. Successive Governments have led on this issue by promoting transparency, including through the OECD, G20 and Financial Action Task Force (FATF), and UK-led initiatives such as the 2016 anti-corruption summit. Increasing transparency about who owns companies registered or residing in the UK (beneficial ownership) is part of this agenda. We were the first country in the G20 to establish a public register of company beneficial ownership and—in December of last year—published our anti-corruption strategy covering the period from 2017 to 2022. The UK is rightly seen as a global leader on this agenda and, last month, Transparency International listed us as one of just three G20 countries with a “very strong” legal framework around beneficial ownership.

We recognise the concerns about money laundering and corruption in the Crown dependencies and overseas territories and we are committed to increasing transparency about the companies who operate there. We have worked co-operatively with the Crown dependencies and overseas territories over the last four years, including through entering into the exchange of notes in 2016 through which UK law enforcement has near real-time access to beneficial ownership information on companies incorporated in those jurisdictions. This has resulted in tangible benefits to law enforcement; as of February, the exchange of notes arrangements have been used over 70 times to provide enhanced law enforcement access to beneficial ownership data. This information has enhanced intelligence leads and investigations on illicit finance. We continue to work closely with the Crown dependencies and overseas territories to further strengthen their approach in this area.

At EU level, the UK went beyond the requirements of the fourth anti-money laundering directive in establishing a public register, and supported the inclusion in the fifth anti-money laundering directive of a provision that will require all EU member states to have the legislation in place to establish publicly accessible registers by the end of 2019. Non-EU countries including Afghanistan, Ghana, Nigeria and Ukraine have all either committed to establishing public registers or are in the process of doing so.

Domestically, the UK has committed to create a new register for overseas companies and to pass legislation by 2021. Once in place, overseas companies will not be able to buy property in the UK, or secure UK Government contracts, without submitting the necessary beneficial ownership information. We will urge and support other countries to take similar action.

[HCWS662]
Internationally, the UK has been promoting beneficial ownership transparency at relevant international fora—including the G20, FATF and the OECD. The UK is supporting as the global register (the beneficial ownership data standard). The UK is also supporting the extractive industries transparency initiative to implement its enhanced standard which requires the collection of beneficial ownership information. The UK has and will continue to offer technical assistance to other nations looking to establish beneficial ownership registers.

In 2016 the overseas territories and Crown dependencies agreed the exchanges of notes with the UK on the exchange of beneficial ownership information. They have made significant progress in implementing the commitments by introducing legislation and establishing, where they did not already exist, central registers or similarly effective systems. We are continually monitoring the implementation of the arrangements and the latest six-month review demonstrates that these are now in force and delivering benefits to UK law enforcement. They enable UK law enforcement authorities to establish the ultimate ownership of entities registered in the overseas territories and Crown dependencies, and strengthen their ability to investigate serious and organised crime, including money laundering and tax evasion. The commitments they have made in the exchanges of notes with the UK exceed current Financial Action Task Force standards and put them ahead of most jurisdictions, including many of our G20 partners and some states in the United States. The bilateral arrangements provide for further, annual reviews and the basis for taking further action if required. In addition, there will be a statutory review of the arrangements next year, which will ensure parliamentary scrutiny. It is right that we continue to focus on the effective implementation of these arrangements, rather than imposing new requirements on the territories.

Furthermore, I can today confirm that the Government will use their best endeavours, diplomatically and with international partners, including through multilateral fora (such as the G20, FATF and the OECD), to promote public registers of company beneficial ownership as the global standard by 2023.

When all of this is put together, it is clear that the UK is the international leader on setting high standards for transparency on beneficial ownership. The Government are committed to influencing others in this regard, including the UK’s overseas territories and Crown dependencies.

Sanctions and Anti-Money Laundering Bill: Impact Equalities

The Minister for Europe and the Americas (Sir Alan Duncan): During the passage of the European Union (Withdrawal) Bill through the House of Commons, the Government committed to providing a statement on the impact of EU-exit primary legislation on either the Equality Act 2006 or the Equality Act 2010. The expectation is that this statement will usually be included in the explanatory notes for the relevant Bill. However, as the explanatory notes for the relevant Bill. However, as the Sanctions and Anti-Money Laundering Bill [Lords] has already completed its passage through the House of Lords, and has Report and Third Reading in the House of Commons today, the explanatory notes will not be updated again until Royal Assent. I am therefore making this statement now, while the Bill is still before Parliament.

I can confirm that the Sanctions and Anti-Money Laundering Bill [Lords] does not amend, repeal or revoke any provision of the Equality Act 2006, the Equality Act 2010 or any subordinate legislation made under either of those Acts (“the equalities legislation”).

In relation to the Bill, I have had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.

HOME DEPARTMENT

Exchange of Notes on Beneficial Ownership: Six-month Review

The Minister for Security and Economic Crime (Mr Ben Wallace): I, along with the Minister for Europe and the Americas, my right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan), wish to make a statement on the six-month review of the implementation of the exchange of notes on beneficial ownership between the United Kingdom, Crown dependencies and relevant overseas territories.

In 2016 a commitment was made between the UK, six of the overseas territories (OTs), and all of the Crown dependencies (CDs), to enhance the effectiveness of long-standing law enforcement co-operation with respect to the sharing of beneficial ownership information for corporate and legal entities incorporated in the respective jurisdictions. The arrangements for this are set out in the “exchange of notes” (EoNs) and technical protocol, which includes a commitment that: “The Participants will review together the operation of these arrangements in consultation with law enforcement agencies six months after the coming into force of these arrangements, and thereafter annually.”

Officials from the Home Office and Foreign and Commonwealth Office, and representatives from Guernsey and Alderney, Jersey and the Isle of Man; and the British Virgin Islands, Cayman Islands, Bermuda, Gibraltar, Anguilla and Turks and Caicos Islands have carried out this first review of the EoN arrangements.

During the course of this review, the CDs and OTs have reiterated to the UK authorities their commitment to the EoNs, as demonstrated by their positive and proactive approach to implementation and engagement in the review process.

The Government committed to complete this review by the end of March. Sir Alan Duncan (for the overseas territories) and I (for the Crown dependencies) are pleased to provide the following key findings of the review and recommendations for the future of these arrangements.

The findings and recommendations of this review are based on material supplied by, and discussions with, all of the jurisdictions involved in the review process. The position varies across these different jurisdictions, and not all of the findings and recommendations of this review apply to all jurisdictions. Of course, where a jurisdiction already complies with the points covered by a particular finding or recommendation, it should continue to do so.
Key findings

The EoN arrangements have, since their coming into effect in July 2017, provided law enforcement officers with enhanced access to company beneficial ownership information, as originally envisaged in 2016, and are supporting ongoing criminal investigations.

Under the terms of the arrangements, this information is available to UK law enforcement within 24 hours, one hour if the request for information is notified as “urgent”, or such other time period as may be agreed. Information is available on a 24/7 basis.

As of 9 February 2018, the EoN arrangements have been used over 70 times to provide enhanced law enforcement access to beneficial ownership data. This information has been used to enhance intelligence leads and investigations on illicit finance.

The CDs, Bermuda, Gibraltar and the Turks and Caicos Islands (TCI) all have central registers to hold the required information. Jersey’s is already fully populated (it has had a private register since 1989), as are the Guernsey and Alderney registers. The Isle of Man’s register is nearing completion (81%), in accordance with the agreed timeframe for full population by 30 June 2018.

Bermuda has had a central register for over 70 years, and its new database is nearly 100% populated. Gibraltar expects its register to be fully populated by 30 June 2018, following a transition period. TCI, which was severely affected by hurricanes Maria and Irma, brought its enabling legislation into force on 1 February 2018. It anticipates that its register will be fully populated by December 2018, following a transition period.

“Similarly effective arrangements” (as permitted by the EoNs) are in place in British Virgin Islands (BVI) and the Cayman Islands. BVI, which was also severely affected by the hurricanes, has now attained around 80% population of its system. The Cayman Islands expect their beneficial ownership system to be fully populated by 30 June 2018, following a transition period provided for by their legislation. The UK is finalising with Anguilla a memorandum of understanding on the terms for provision of UK support for the establishment of Anguilla’s beneficial ownership system. This was delayed due to the impact of Hurricane Irma. The UK has already provided drafting assistance for underpinning legislation, which will be introduced at the Anguilla House of Assembly in due course.

The majority of requests thus far have been made by the National Crime Agency (NCA) and Serious Fraud Office (SFO). Other UK law enforcement authorities have also used the EoNs.

As could be expected of new arrangements and systems, teething issues arose initially. This review makes a number of recommendations, building upon efforts already made to address these issues, which will be taken forward where appropriate and reported on at the next review.

Recommendations

This review has made a number of recommendations that have been agreed by all parties concerned, including that:

- All participants should continue to participate in these reviews, maintaining a focus on enhancing law enforcement co-operation.
- Jurisdictions should continue to monitor their systems with a view to enhancing the accuracy of the data they hold.
- All participants to the EoNs should update their contact details as soon as practically possible, including out of hours contact details when these change, so that these can be disseminated appropriately.
- All jurisdictions should consider whether they may be able to adopt best practice on intelligence sharing e.g. request form templates.
- The standardised request form should be amended to include a tick box to indicate 1 hour or 24 hour timeframes.
- Participants should ensure that their registers are fully populated by the agreed timeframes, where this is not already the case.

Next Steps

Participants to the EoNs will take forward the recommendations of this six-month review, and will take responsibility for tracking progress. The Home Office and Foreign and Commonwealth Office will produce a report on their implementation for the next review.

It should be noted that this review is in addition to ongoing monitoring of the practical application of the commitment by all participants, and a UK statutory review required by the Criminal Finances Act to take place before 1 July 2019 covering the period to the end of 2018.

This summary is also available on gov.uk.

[HCWS661]

WORK AND PENSIONS

Office of Nuclear Regulation Corporate Plan 2018-19

The Minister for Disabled People, Health and Work (Sarah Newton): Later today I will lay before this House the Office for Nuclear Regulation Corporate Plan 2018-19. This document will also be published on the ONR website.

I can confirm, in accordance with schedule 7, paragraph 25(3) of the Energy Act 2013, that there have been no exclusions to the published documents on the grounds of national security.

[HCWS658]
The Parliamentary Under-Secretary of State for Defence (Guto Bebb): I am today laying a departmental Minute to advise that the Ministry of Defence (MOD) is retrospectively notifying Parliament about contingent liabilities not previously disclosed, due to procedural errors. Her Majesty’s Treasury has retrospectively approved these contingent liabilities.

The Minute describes the contingent liabilities that the MOD holds against 10 Defence Equipment and Support contracts (DE&S). It is usual to allow a period of 14 sitting days prior to accepting a contingent liability, to provide hon. Members an opportunity to raise any objections. Regrettably, this was not done ahead of contract award in these cases and I sincerely apologise for our failure to do so. The purpose of the Minute is to regularise the position with Parliament. The contracts remain fully enforceable and the associated contingent liabilities will be reported in the 2017-18 Defence Equipment and Support (DE&S) annual report and accounts.

Failure to notify these contingent liabilities prior to the award of the associated contracts has been reported to the Public Accounts Committee. The Department has noted the Committee’s concerns about this situation and fully accepts the need to follow the correct approvals and reporting procedures. DE&S has put in place a series of measures to address this issue including staff briefing; mandated training; improving the clarity of internal guidance and procedures; and additional controls in the approvals process, to ensure compliance.

The following contracts have a very low risk of the contingent liability being incurred. The liability is assessed as unquantifiable due to the nature, scope, range and scale of possible scenarios that might occur, which means that it is not possible to provide a realistic estimate of cost:

- Supply of Cased Telescopic Cannon and ammunition—liability against consequential and indirect losses until 9 July 2018.
- CTAI Common Cannon and ammunition project—liability against consequential and indirect losses until 3 June 2019.
- Design authority support for Cased Telescopic Cannon—liability against consequential and indirect losses until 31 March 2019.
- Supply of 40mm Cased Telescopic Cannon—liability against consequential and indirect losses until 15 July 2022.
- BAE Systems Dreadnought design contract—liability against submarine design work until 26 April 2023.
- Babcock design contract (submarines)—liability against contractor’s personnel at defence establishments until 26 April 2023.
- UK/France test facilities (2010) and sub-contract—UK liability for dismantling and decommissioning costs until 2065.

The following contract has an agreed amount of contingent liability up to £1.4 million against a breach of intellectual property rights which expired on 31 March 2018 and a further unquantifiable element against a breach of environmental liability until 31 March 2025:

Land equipment service provision and transformation contract.

If the liability is called against any of these contracts, provision for any payment will be sought through the normal supply procedure.

The following contract had an agreed amount of contingent liability up to £7 million against damage to Ministry of Defence property which expired on 28 February 2018. No liability was called against this contract.

Support to combined arms tactical training system.

Counter-Daesh Operations

The Secretary of State for Defence (Gavin Williamson): As part of our counter-terrorism strategy, the UK is playing a leading role in the global coalition to defeat Daesh—a unified body of 75 members. We have committed nearly 1,400 military personnel to the region to provide support to local partners.

In the air, the RAF has conducted more than 1,600 air strikes in Iraq and Syria—second only to the US—and provides highly advanced intelligence, surveillance and reconnaissance to coalition partners. These strikes are undertaken in the collective self-defence of Iraq as part of the global coalition to defeat Daesh, and at the request of the Government of Iraq. On the ground, British soldiers have trained over 60,000 members of the Iraqi security forces in engineering, medical, counter-IED and basic infantry skills. As a result of the coalition’s action, Daesh has lost more than 98% of the territory it once occupied in Iraq and Syria, and 7.7 million people have been liberated from its rule.

We do everything we can to minimise the risk to civilian life from UK strikes through our rigorous targeting processes and the professionalism of UK service personnel. It is therefore deeply regrettable that a UK air strike on 26 March 2018, targeting Daesh fighters in eastern Syria, resulted in an unintentional civilian fatality. During a strike to engage three Daesh fighters, a civilian motorbike crossed into the strike area at the last moment and it is assessed that one civilian was unintentionally killed. We reached this conclusion after undertaking routine and detailed post-strike analysis of all available evidence. There are limits on any further details that can be provided given ongoing operations and consequent national security issues. As with any serious incident the wider coalition also conducts its own investigation and will report in due course.

These events serve to remind us of the consequences of conflict and of the heavy price that the people of Syria have paid. It reminds us that when we undertake military action, we must do so knowing that it can never be completely without risk.

Such incidents will not weaken our resolve to defeat Daesh and rid the world of its poisonous ideology of hate and intolerance. The UK’s commitment to the global coalition against Daesh and to the people of Iraq and Syria will remain as strong as ever.
The Prime Minister (Mrs Theresa May): My hon. Friends the Members for Yeovil (Mr Fysh) and for Amber Valley (Nigel Mills) have been appointed as full members of the United Kingdom delegation to the Parliamentary Assembly of the Organization for Security and Co-operation in Europe in place of my right hon. Friend the Member for Clwyd West (David Jones) and my hon. Friend the Member for Tewkesbury (Laurence Robertson). My hon. Friend the Member for Southport (Damien Moore) has been appointed as a substitute member.

[HCWS666]
THE CHANCELLOR OF THE EXCHEQUER (MR PHILIP HAMMOND):
An informal meeting of the Economic and Financial Affairs Council (ECOFIN) was held in Sofia on 27-28 April 2018. The Council discussed the following:

**Working lunch—Deepening of the economic and monetary union**

Based on a presidency issues note, the Council exchanged views on the ECOFIN Council roadmap of June 2016 on completing the banking union. This was followed by an update from the Eurogroup president on reform of the European stability mechanism.

**Working Session I**

a) **Convergence in the EU—Inside and outside the euro area**

Following a presentation from the Centre for European Policy Studies, the Council discussed the possibilities to increase convergence in the EU among both euro area and non-euro area member states.

b) **Further reducing fragmentation within the capital markets union**

Following a presentation from Bruegel on deepening of the capital markets union, the Council discussed measures to further reduce capital markets fragmentation.

c) **Miscellaneous**

The Council were then debriefed on the outcomes of the G20 Finance Ministers and Central Bank Governors meeting on 19-20 April.

**Working Session II—Improving revenue collection and fighting tax fraud in the single market**

The Council exchanged views on ways to improve administrative co-operation and the exchange of tax information between member states in order to improve revenue collection and fight tax fraud in the single market.

**Working Session III—Corporate taxation and tax challenges of the digital economy**

Following the recent publication of Commission proposals regarding fair taxation of the digital economy, the Council exchanged views on the approach to corporate taxation in the single market and the tax challenges arising from digitalisation of the economy.

The Minister for Digital and the Creative Industries (Margot James): I am today placing in the Library of the House the Department’s analysis on the application of Standing Order 83L in respect of the Government amendments tabled for Commons Report stage for the Data Protection Bill [HL].

[HCWS668]

**EDUCATION**

**Teaching Career Consultation**

The Minister for School Standards (Nick Gibb): On Friday 4 May 2018, the Government published their response to the recent consultation on “Strengthening Qualified Teacher Status and Improving Career Progression for Teachers”.

This consultation closed on 8 March, and had over 2,000 written responses. The majority of responses agreed with the case to strengthen support that teachers receive in the early stages of their career. This is in addition to finding more effective ways of enabling teachers to access high quality continuing professional development throughout their careers.

The Government response sets out how we will take this work forward, including:

- Increasing the length of the induction period for teachers from one year to two years;
- Developing an early career framework of support and mentoring, which will create a better and more consistent induction experience for all new teachers;
- Exploring the creation of new qualifications for experienced classroom teachers, alongside work to consider how we can make the existing continuing professional development market easier to navigate for schools and teachers; and,
- Piloting a sabbatical fund for experienced teachers.

As this work is developed further, we will work with teachers, school leaders, and education experts. We will also ensure that improving continuing professional development for teachers aligns closely with wider work on the recruitment and retention of teachers.

The response is available on www.gov.uk and I will place a copy in the Libraries of both Houses.

[HCWS669]
BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Business Update

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): Under section 2 of the Immigration Act 2016 the Director of Labour Market Enforcement is required to prepare an annual strategy which, once approved, must be laid before Parliament.

The Director of Labour Market Enforcement is a statutory appointment under the Immigration Act 2016. The Director is responsible for setting the strategic priorities of the three existing enforcement agencies. These are the Gangmasters and Labour Abuse Authority, the Employment Agency Standards Inspectorate, and HMRC’s National Minimum Wage Enforcement team.

Professor Sir David Metcalf CBE was appointed as the Director on 1 January 2017. Sir David’s introductory independent labour market enforcement strategy was published in July 2017 and today this second strategy is being published. This strategy provides a valuable assessment of the existing scale of labour exploitation and makes 37 recommendations on labour market enforcement and raising awareness of employment rights.

There is significant crossover and alignment between this strategy and the Government’s response to the Taylor Review of Modern Working Practices and subsequent consultations. The Government will publish a response to the Director of Labour Market Enforcement’s strategy later this year, once the consultations have closed and the Government have considered the responses.

The Government’s Good Work plan is a vital part of the industrial strategy, the long-term plan to build a Britain fit for the future by helping businesses create better, higher-paying jobs in every part of the UK.

I would like to place on record my thanks to Sir David and his team for the hard work that has gone into this second strategy.

Copies of the strategy have been laid before both Houses.

[HCWS670]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Housing First

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Today, the Government are launching three Housing First pilots in Greater Manchester, the west midlands, and the Liverpool City Region. The programme will total £28 million of Government funding and include a robust external evaluation. The funding allocated to each region is as follows, and is based on the number of rough sleepers, or those at risk of rough sleeping who we think would benefit from a Housing First approach:

Greater Manchester: £8.0 million
Liverpool City Region: £7.7 million
West Midlands: £9.6 million

The pilots will support circa 1,000 rough sleepers and those at risk of rough sleeping with the most complex needs to help them to end their homelessness. People will be provided with stable, affordable accommodation and intensive wrap-around support. This will help them to recover from complex issues, such as substance abuse and mental health difficulties, and sustain their tenancies.

There is a growing body of international evidence supporting a Housing First approach as a way to ending rough sleeping, but to date this has not been rigorously evaluated on a large scale in the UK. Today's announcement is a demonstration of this Government’s support for evidence-based approaches that have the potential to radically improve the lives of some of the most vulnerable people in our society. The Government will carefully consider the evidence that is gathered to inform any expansion of Housing First.

Piloting Housing First gives effect to a manifesto commitment and is an important element of the Government’s effort to end rough sleeping by 2027. It will build on the implementation of the Homelessness Reduction Act, and the new rough sleeping initiative my predecessor announced on 30 March. The Government will bring forward a rough sleeping strategy in July that sets out how we intend to first halve and then end rough sleeping in 2022 and 2027.

[HCWS671]
Written Statements

Thursday 10 May 2018

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Leaving the EU: Environmental Principles and Governance

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): It is this Government’s ambition to ensure we leave our environment in a better state than we inherited it. It is our aim not just to protect and conserve but also to enhance and restore habitats and landscapes. The recently published flagship 25-year environment plan sets out the scale of our future ambition. The environmental principles and governance consultation document that we have published today outlines proposals to help deliver on this, including a new, ambitious Environmental Principles and Governance Bill.

For many who care deeply about the environment, and have fought for its protection over several decades, our membership of the European Union (EU) has coincided with increased awareness of environmental concerns and improved mechanisms to safeguard the natural world. We want to ensure that the new mechanisms we put in place as we leave the EU do not just maintain, but also strengthen protection for the environment.

Our new Environmental Principles and Governance Bill is designed to create a new, world-leading, independent environmental watchdog to hold Government to account on our environmental ambitions and obligations once we have left the EU. When the UK leaves the EU, we will no longer be under the jurisdiction of the EU institutions which currently provide oversight and enforcement of many of our environmental laws. The new body will ensure that environmental standards are upheld after we leave the EU, holding Government to account for their delivery.

In order to ensure we have robust environmental governance systems in place, we propose that the new body should have three main functions: providing independent scrutiny and advice; responding to complaints; and enforcing Government’s delivery of environmental law where necessary. However, we are consulting on what functions and powers the new body should have specifically, and would welcome a wide range of stakeholders’ views on this subject.

The new Environmental Principles and Governance Bill will also establish a new, comprehensive, statutory environmental principles policy statement. The current system of EU environmental legislation is underpinned by a number of “environmental principles”, such as sustainable development, the precautionary principle and the polluter pays principle. Although these principles are already central to Government environmental policy, they are not set out in one place beside the EU treaties.

The consultation is exploring the scope and content of a new statement on environmental principles in order to underline our commitment that environmental protection will be enhanced, not diluted, as we leave the EU. We are consulting as to whether the environmental principles themselves should be listed in the Environmental Principles and Governance Bill, in addition to the policy statement. It will be a statutory requirement for Government to have regard to the policy statement as they interpret the environmental principles. We also propose to give the new environmental body the function and powers to scrutinise application of the policy statement, periodically advising Government on possible improvements and taking action to ensure application, if necessary.

This consultation is concerned with environmental governance in England and reserved matters throughout the UK, for which the UK Government have responsibility. However, we are exploring with the devolved Administrations whether they wish to take a similar approach. We would welcome the opportunity to co-design proposals with them to ensure they work across the whole UK, taking account of the different government and legal systems in the individual home nations.

HOME DEPARTMENT

Immigration

The Secretary of State for the Home Department (Sajid Javid): The Government have committed to support those of the Windrush generation who have faced difficulties in establishing their status under the immigration system. Among the series of measures to help put things right, I have already announced that a compensation scheme will be put in place for those who have suffered financial loss as a result of these difficulties, and that we will consult on the design of this scheme. I want to do this as quickly as possible. But also need to get the detail right reflecting the complexity of ways in which people might have been impacted.

As a first step to establishing the compensation scheme the Home Office is today launching a call for evidence that is addressed to those who have been affected by this situation, and to their families. This will be the first step of the consultation process, and will be published on gov.uk. A copy of the document will also be placed in the House Library.

It is always important for government to listen, and it is especially important to do so now. To put things right we need to understand more about what happened, to understand the personal stories, which will help to inform the design of the compensation scheme. As well as receiving written contributions I have asked officials to reach out to the people and communities most closely affected, listen to their concerns directly and, in particular, understand properly how we might address them through a compensation scheme.

I believe it is also important to have some external assurance that the compensation scheme meets the needs of those affected. So I will appoint an independent person to oversee the running of the scheme when it is in place. Martin Forde QC has agreed to provide independent advice on the design of the scheme. He is himself the son of Windrush parents and brings a wealth of experience in complex public law and
compensation matters. I am confident that he will ensure that the interests of those affected will be properly represented and reflected in the scheme.

The call for evidence will run until 8 June. Once we have listened and considered those contributions, I will then launch a public consultation as soon as possible to provide the technical detail on proposals for the compensation scheme. I want to put in place a compensation scheme as quickly and as carefully as possible, to help redress what has gone wrong.

[HCWS674]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Local Government

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): On 27 March, the then Secretary of State for Housing, Communities and Local Government announced to the House that he was minded to appoint commissioners to take over functions associated with governance and scrutiny, appointment of statutory officers and strategic financial management at Northamptonshire County Council (“the authority”).

These proposals followed the publication of the report of the independent best value inspection, led by Max Caller CBE, at the authority which contained serious findings. In particular, the inspector identified that the council has failed to properly comply with its best value duty for some time. This is not because of lack of funds: as the report states, the council’s “Mind the Gap” analysis “does not demonstrate that [the Authority] has been particularly badly treated by the funding formula”.

The report sets out in some detail the governance failings which have culminated in the council’s chief finance officer issuing a section 114 notice to stop new spending and KPMG’s advisory notice on the council’s budget. It concludes “living within budget constraints is not part of the culture of [the Authority]”.

Alongside this announcement on 27 March, the authority and principal local authorities in its area were invited to make representations about his proposals on or before 12 April. Both the authority and the principal authorities made representations, as did Voluntary Voices Northamptonshire—an organisation representing voluntary bodies in the Northamptonshire area. All welcomed the proposal to appoint commissioners and the authority asked that such an appointment should be made as quickly as possible. Following consideration of these representations and further consideration of the inspector’s report, I have now decided to go ahead with the proposals made by my predecessor.

I have decided to appoint two commissioners forming a team with a proven record in providing leadership and financial stability in local government.

Tony McArdle (lead commissioner)—until February 2018, chief executive of Lincolnshire County Council, a post he held for 12 years. He has previously held a number of senior posts in local government and is currently chair of the Association of County Chief Executives.

Brian Roberts (finance commissioner)—former director of corporate resources and deputy chief executive at Leicestershire County Council until end March 2018. This followed on from a varied career in local government. A past president of CIFFEA, he has also been a past president of the Society of County Treasurers of the Association of Local Government Treasurers. Currently a national council member and a trustee of the Centre for Public Scrutiny.

The commissioners have been appointed for the period from 10 May 2018 to 31 March 2021 or such earlier or later time as I determine. I have not ruled out the possibility of further commissioners should the need arise.

I have published the directions and explanatory memorandum associated with this announcement on: https://www.gov.uk/government/publications/northamptonshire-county-council-directions-and-explanatory-memorandum

The 27 March announcement was accompanied by an invitation to all the principal Northamptonshire local authorities, including the county council, to make proposals for a restructuring of local government across Northamptonshire. The authorities are working together well on this and have asked that I extend the deadline for responses from July to August. I am happy to do this, to enable further opportunity for local community engagement and consultation, and the development of locally generated proposals. I have also asked the Local Government Association to consider how best to support the authorities as they develop their proposals. They are working on this and an announcement will be made shortly.

[HCWS673]

INTERNATIONAL TRADE

Trade Remedies

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): In November 2017, the Government introduced the Taxation (Cross-Border Trade) Bill and the Trade Bill into Parliament. Together, this legislation will establish the framework for a robust trade remedies framework for the UK once we leave the EU, and establish an independent trade remedies authority (TRA) to operate that framework.

On 29 March 2018, the Department secured a technical ministerial direction to authorise spending on the implementation of the TRA prior to Royal Assent for the Trade Bill, in line with the guidance issued by the Permanent Secretaries of HM Treasury and the Department for Exiting the European Union as well as the written ministerial statement from the Chief Secretary to the Treasury in October 2017.

The Government have continued to progress work to ensure that the UK has an effective trade remedies function for when we leave the EU. Following a review of suitable locations, the Government have determined that the TRA will be based in Reading. The high concentration of required skills and excellent infrastructure links to the rest of the UK will provide an ideal basis for the TRA to carry out its essential work to protect domestic industry from unfair trading practices and unforeseen surges in imports.

Following engagement with devolved Administrations and key stakeholders, today the Government will begin the process to recruit and appoint a chair designate to prepare for this important role, ready to take on the leadership of the TRA board once the Trade Bill has completed its passage through Parliament and achieved Royal Assent.

[HCWS672]
The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood): I am today laying a departmental minute to advise that the Ministry of Defence (MOD) has received approval in principle from Her Majesty’s Treasury (HMT) to recognise a new contingent liability associated with the NAAFI pension fund. Negotiations are ongoing and the contingent liability will come into force on signature of a pension guarantee.

The departmental minute describes the contingent liability that the MOD will hold as a result of the NAAFI pension guarantee. The maximum contingent liability against the MOD is £223 million. It is usual to allow a period of 14 sitting days prior to accepting a contingent liability, to provide Members of Parliament an opportunity to raise any objections.

NAAFI is a company limited by guarantee controlled by the MOD through the NAAFI council. The guarantee would remove the risk of the MOD, as a result of its relationship with NAAFI, being required by the Pension Regulator to fund all or part of the deficit calculated on a buy-out basis on or before 2021 should NAAFI be wound up. It would save the MOD up to £5 million per annum, this being the current undertaking made annually to NAAFI, to reduce the pension fund deficit. It would also negate the risk of MOD losing the NAAFI’s services in the territories in which it operates creating potential gaps in service affecting MOD personnel.

EDUCATION

Good School Places

The Secretary of State for Education (Damian Hinds):

The Government are committed to creating more good school places through a diverse education system, to ensure that parents have choice and children of all backgrounds have access to the best education. The range of actions we are setting out today helps us to deliver this; extending the opportunity for children, no matter what their background, to access the best education and encourage cross-sector collaboration in order to raise standards and aspiration for all pupils. This action includes supporting the establishment of new schools and the creation of more good school places, as well as complementary measures in response to the Schools that Work for Everyone consultation. It is intended to incentivise high-performing schools and institutions across the sector to widen their offer to more pupils, and to encourage the sector as a whole to collaborate in order to help all children achieve their potential. I want to see universities, independent schools and state schools working in partnerships that deliver sustainable impact, including by establishing or joining multi-academy trusts where it is beneficial to do so.
taken to date, including the guidance published in February by the Office for Students on preparing 2019-20 access and participation plans.

I also recognise the role that faith providers play in delivering high-performing schools with excellent standards, and that some schools feel unable to establish new schools through the free schools programme as a result of the restrictions on admissions. As mentioned, we are retaining the 50% faith cap, but we are also developing a capital scheme to support the establishment of new voluntary-aided schools for faith and other providers. This route has always been available but has been little used in recent years. Schools created through this scheme will have the same freedoms as existing voluntary-aided schools, including over their admissions.

In addition to ensuring that we create the places that are needed, we also want to improve our understanding of how the education system is serving children from disadvantaged backgrounds. As part of the consultation, we also sought views on how best we can identify pupils from modest and low incomes in order to improve our understanding of how the education system is serving these children. The findings were fed into the technical consultation Analysing Family Circumstances and Education. The Government response to this technical consultation will be published in due course.

This package of reforms will help to ensure we are delivering on our ambition to ensure that there is a good school place for every child, whatever their background, and I look forward to continuing to work with stakeholders across the education sector over this background, and I look forward to continuing to work with stakeholders across the education sector over this

I will place a copy of the documents published today in the House Libraries.

[HCWS676]

EXITING THE EUROPEAN UNION

General Affairs Council

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): Lord Callanan, Minister of State for Exiting the European Union, has made the following statement:

I will attend the General Affairs Council in Brussels on 14 May 2018 to represent the UK. Until we leave the European Union, we remain committed to fulfilling our rights and obligations as a full member.

The provisional agenda includes:
Annexed draft agenda for the European Council on 28-29 June 2018

Ministers will discuss the draft agenda, which covers: migration; security and defence; jobs, growth and competitiveness; innovation and digital; the multiannual financial framework (MFF); and external relations. Multiannual financial framework (MFF) post 2020

Ministers will discuss the Commission’s MFF proposal that was released on 2 May. Discussion will focus on the priorities for the budget period 2021-27.

Rule of law in Poland / Article 7(1) TEU reasoned proposal

The Commission will inform Ministers of the latest updates on the rule of law in Poland.

[HCWS679]

PRIME MINISTER

Grenfell Tower

The Prime Minister (Mrs Theresa May): The fire in Grenfell Tower was an unimaginable tragedy, and I am determined that justice is done for the victims, survivors, bereaved and the wider community.

On 21 December 2017 I wrote to Sir Martin Moore-Bick, chair of the Grenfell Tower inquiry with my decision not to appoint additional panel members to the inquiry at that time. The Inquiries Act 2005 affords me the power to appoint panel members at any time during the inquiry and I previously indicated my intention to keep the matter under review.

Since December, the inquiry has made significant progress. It has received some 330,000 documents, and expects that figure to grow to 400,000. Sir Martin’s team have conducted a first-stage review of approximately 183,000 documents. The inquiry has confirmed that it is continuing to identify potentially relevant providers of documents as work progresses.

The process of gathering and identifying relevant documents for phase 2 has started in parallel with the phase 1 disclosure exercise. The inquiry has confirmed that it is expecting that a “significant volume of documentation will be disclosed at this stage”.

Sir Martin has appointed 547 core participants to the inquiry—519 of them individuals from the Grenfell community. This is an unprecedented number.

Given the extent of the tragedy, we should not be surprised by the scale and range of issues that are emerging from the inquiry’s early work.

Phase 2 of the inquiry will be the largest phase in terms of the number of issues to be considered, and it is appropriate for me to reflect now on the two distinct phases of the inquiry’s work and to consider the most appropriate composition of the inquiry panel for phase 2.

To ensure that the inquiry panel itself also has the necessary breadth of skills and diversity of expertise relevant to the broad range of issues to be considered in phase 2, and to best serve the increasing scale and complexity of the inquiry, I have decided to appoint an additional two panel members to support Sir Martin’s chairmanship for phase 2 of the inquiry’s work onwards. I wrote to Sir Martin yesterday, informing him of my decision.

Once suitable panel members have been identified, I will write to Sir Martin again to seek his consent to any appointment, in accordance with section 7(2)(b) of the Inquiries Act 2005.

[HCWS678]
Petition

Monday 30 April 2018

OBSERVATIONS

TRANSPORT

Accessibility in Chinley station

The petition of residents of the United Kingdom,
Declares that Chinley station on the mainline between Manchester Piccadilly and Sheffield is inaccessible as the only access to the platforms are via steep steps; further that Chinley station is situated at the heart of a growing commuter village which acts as the gateway to the Peak District; and further that members of the Chinley and Buxworth Transport Group have continued to campaign for further improvements, as transport should be accessible for everyone.

The petitioners therefore request that the House of Commons urges the Department for Transport to make improvements to Chinley station so that the public can have level access to the railway at Chinley.

And the petitioners remain, etc.—[Presented by Ruth George, Official Report, 12 March 2018; Vol. 637, c. 682.]

Observations from the Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani):

I recognise the importance of improving accessibility at rail stations as part of the whole journey experience. Much of our station infrastructure is Victorian and is therefore not accessible to many disabled passengers, which is why we have invested in improving accessibility of our railway through the Access for All programme.

For previous rounds of funding, stations were selected based on their annual footfall, weighted by the incidence of disability in the area. We also took into account the priorities of the industry, the availability of third party funding and local factors such as proximity to a hospital, together with consideration of geographic spread across the rail network.

In the last round of funding the Train Operating Company, Northern, did not nominate Chinley station. All of the Access for All funding has now been allocated to projects until spring 2019, but we will be making further funding available for rail accessibility in the next control period (2019-24). We will be announcing further details of how funds will be allocated later this year, but it is likely that the criteria used to select stations will be broadly similar to the process used for earlier tranches of the programme.

For schemes such as Chinley to be considered for future funding, it is likely that they will also need strong industry support and ideally a proportion of match funding to help weight the business case.
Petition

Wednesday 2 May 2018

PRESENTED PETITION
Petition presented to the House but not read on the Floor
6 Alderbrook Road

The petition of residents of Solihull,
Declares that local residents have great concern over the proposals to demolish 6 Alderbrook Road, Solihull and the planning for flats in its place.

The petitioners therefore request that the House of Commons urges the Government to encourage Solihull Metropolitan Borough Council to reconsider his proposals to replace 6 Alderbrook Road with flats.

And the petitioners remain, etc. — [Presented by Julian Knight.]
Petition

Tuesday 8 May 2018

OBSERVATIONS

HEALTH AND SOCIAL CARE

Save Our Shire Hill Hospital

Declares opposition to the closure of the Shire Hill Hospital in Glossop as it is the only credible option.

The petitioners therefore request that the House of Commons urges the Government to rule the consultation invalid and enable Shire Hill Hospital to continue their excellent rehabilitation service.

And the petitioners remain, etc.—[Presented by Ruth George, Official Report, 25 October 2017; Vol. 630, c. 358.]

[PO02068]

Observations from the Minister for Care (Caroline Dinenage):

This is a matter for the local NHS. It is important that local reconfiguration decisions are made locally, where the care needs of the local population are best understood.
Petition

Thursday 10 May 2018

OBSERVATIONS

EDUCATION

School budgets

The petition of residents of Craven Ward,

Declares that the cuts in spending to school budgets in Craven Ward, in the constituency of Keighley and Ilkley, will lead to further staff redundancies, increasing class sizes, reductions in the range of subjects on offer and a decline in educational standards.

The petitioners therefore request that the House of Commons urges the Government to reverse the cuts that have been made to school budgets in Craven; further to protect per pupil funding in real terms in the schools of Craven over the lifetime of this Parliament; and further to ensure no school loses out in real terms as a result of any new funding formula.

And the petitioners remain, etc.—[Presented by John Grogan, Official Report, 14 March 2018; Vol. 638, c. 6P.]

P002120

Observations from the Secretary of State for Education (Damian Hinds):

Last year, we announced the details of the national funding formula for schools which is supported by significant extra investment of £1.3 billion across 2018-19 and 2019-20, over and above the budget announced at the 2015 spending review. School funding is at record levels, with core funding for schools and high needs rising from almost £41 billion in 2017-18 to £42.4 billion this year and £43.5 billion in 2019-20.

The need for reform has been widely recognised because of the manifest unfairness in the previous system. Given the significance of this reform, we undertook wide-ranging consultations which allowed us to hear from, and carefully consider, over 26,000 individual respondents and representative organisations.

Supported by our significant additional investment, the national funding formula will also:

- Recognise the challenges of the very lowest funded schools, by introducing 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, and all primary schools will attract at least £3,500 per pupil. In 2018-19, as a step towards these minimum funding levels, secondary schools are attracting at least £4,600, and primary schools £3,300.

- Allocate every local authority more money for every pupil in every school in 2018-19 and 2019-20. Final decisions on local distribution will be taken by local authorities, but under the national funding formula every school is attracting at least 0.5% more per pupil in 2018-19, and 1% more in 2019-20, compared to its baseline.

- Provide a £110,000 lump sum for every school, and for the smallest, most remote schools, distribute a further £26 million through dedicated sparsity funding.

Full details on the notional allocations for local authorities and schools can be found here: https://www.gov.uk/government/publications/national-funding-formula-tables-for-schools-and-high-needs. These include notional school level allocations showing what each school would attract through the formula.

As a result of these changes, under the final national funding formula, schools in the Keighley constituency would gain 2.1% if the formula were fully implemented (based on 2017-18 data). Bradford schools will continue to have higher per pupil funding than the national average under the national funding formula, as the formula allocates additional funding to schools with many additional needs pupils to help those who have fallen behind their peers. Therefore, this higher than average funding reflects the high proportion of pupils with additional needs (such as deprivation, low prior attainment, English as an additional language, etc) in Bradford schools.

The previous Secretary of State set out in her statement to Parliament in July 2017 that, to provide stability for schools through the transition to the national funding formula, local authorities will continue to set their own local formulae which will determine individual schools’ budgets in their areas, in 2018-19 and 2019-20, in consultation with local schools.
Ministerial Corrections

Tuesday 1 May 2018

JUSTICE

Prison Officer Recruitment

The following is an extract from Questions to the Lord Chancellor and Secretary of State for Justice on 24 April.

Craig Tracey: What progress his Department is making on recruiting 2,500 new prison officers.

Alan Mak: What progress his Department is making on recruiting 2,500 new prison officers.

Mr Gauke: Retaining and recruiting engaged and motivated staff is critical to delivering the solutions to drive improvement across the service. Between the end of October 2016 and the end of March 2018, we have increased prison officer numbers by 3,111 full-time equivalent staff. This is already significantly over our target of 2,500 additional staff by the end of December 2018. Investing in the frontline is vital for safety, rehabilitation and security, which is why we are spending £100 million a year in additional prison officers.


Letter of correction from Mr Gauke:

An error has been identified in the response I gave to my hon. Friend the Members for North Warwickshire (Craig Tracey) and for Havant (Alan Mak).

The correct response should have been:

Mr Gauke: Retaining and recruiting engaged and motivated staff is critical to delivering the solutions to drive improvement across the service. Between the end of October 2016 and the end of March 2018, we have increased prison officer numbers by 3,111. This is already significantly over our target of 2,500 additional staff by the end of December 2018. Investing in the frontline is vital for safety, rehabilitation and security, which is why we are spending £100 million a year in additional prison officers.


Letter of correction from Mr Gauke:

An error has been identified in the response I gave to my hon. Friend the Member for Taunton Deane (Rebecca Pow).

The correct response should have been:

Mr Gauke: I am delighted to announce that we have met and exceeded our October 2016 target of recruiting an additional 2,500 prison officers, with 3,111 full-time equivalent staff joining the prison workforce seven months ahead of schedule, 90% of whom will be on the landings by the summer. Prison officers are some of our finest public servants, and I am happy to see individuals seeking out a career in our Prison Service. Along with the rest of the workforce, those bright new recruits will ensure that prisons are safe and decent, tackle the unacceptable levels of drugs in prisons and cut the rate of reoffending.


The following is an extract from Questions to the Lord Chancellor and Secretary of State for Justice on 24 April.

Rebecca Pow: If he will make a statement on his departmental responsibilities.

Mr Gauke: I am delighted to announce that we have met and exceeded our October 2016 target of recruiting an additional 2,500 prison officers, with 3,111 full-time equivalent staff joining the prison workforce seven months ahead of schedule, 90% of whom will be on the landings by the summer. Prison officers are some of our finest public servants, and I am happy to see individuals seeking out a career in our Prison Service. Along with the rest of the workforce, those bright new recruits will ensure that prisons are safe and decent, tackle the unacceptable levels of drugs in prisons and cut the rate of reoffending.
Ministerial Corrections

Wednesday 2 May 2018

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Dagenham Diesel Engine Production

The following is an extract from the Adjournment debate on Dagenham diesel engine production on Friday 27 April 2018.

Claire Perry: We want the men and women of the Dagenham plants and plants around the country to have the investment and skills to lead the manufacturing of a new generation of cars. Of course, we already make one in five electric vehicles sold in Europe. [Official Report, 27 April 2018, Vol. 639, c. 1228.]

Letter of correction from Claire Perry:

An error has been identified in my response to the Adjournment debate on Dagenham diesel engine production on Friday 27 April 2018.

The correct information should have been:

Claire Perry: We want the men and women of the Dagenham plants and plants around the country to have the investment and skills to lead the manufacturing of a new generation of cars. Of course, we already make one in eight electric vehicles sold in Europe.

Sainsbury and Asda Merger

The following is an extract from the response to the Urgent Question on the Sainsbury and Asda merger on Monday 30 April 2018.

Andrew Griffiths: Today the Secretary of State and I have spoken to Sainsbury’s chief executive officer Mike Coupe, and Asda CEO Sean Clarke, so that we can better understand their plans. [Official Report, 30 April 2018, Vol. 640, c. 23.]

Letter of correction from Andrew Griffiths:

An error has been identified in my response to the Urgent Question on the Sainsbury and Asda merger on Monday 30 April 2018.

The correct information should have been:

Andrew Griffiths: Today the Secretary of State and I have spoken to Sainsbury’s chief executive officer Mike Coupe, and Asda CEO Roger Burnley, so that we can better understand their plans.
DEFENCE

EU Defence: Permanent Structured Co-operation

The following is an extract from European Committee A on EU Defence: Permanent Structured Co-operation on 26 April 2018.

Mark Lancaster: We are clear that PESCO should strengthen the relationship with NATO and promote an open and competitive European defence industry, from which the UK will potentially benefit. As the hon. Gentleman knows, 17 projects have been proposed. We are particularly interested in the Dutch-led infrastructure project. [Official Report, European Committee A, 26 April 2018, c. 10.]

Letter of correction from Mark Lancaster:
An error has been identified in my speech in European Committee A on 26 April 2018.

The correct response should have been:

Mark Lancaster: We are clear that PESCO should strengthen the relationship with NATO and promote an open and competitive European defence industry, from which the UK will potentially benefit. As the hon. Gentleman knows, 17 projects have been proposed. We are particularly interested in the Dutch-led military mobility infrastructure project.

The following is an extract from European Committee A on EU Defence: Permanent Structured Co-operation on 26 April 2018.

Mark Lancaster: There is no direct comparison between the MPCC and NATO. It is not an operational headquarters. On scale, just to start, the established posts of the co-ordination cell for the three training missions number 35 posts, of which I understand currently just 12 are filled. With 12 posts filled, that does not have the feel to me of an organisation that is challenging NATO for operational control of EU missions. There are already five nationally-led operational missions. Once we leave the EU, it is not for us to dictate to our European partners how they wish to see this go forward, but given that only 12 of 35 posts have been filled by our EU colleagues, I do not sense that there is a massive drive to move it forward. [Official Report, European Committee A, 26 April 2018, c. 13.]

Letter of correction from Mark Lancaster:
An error has been identified in my speech in European Committee A on 26 April 2018.

The correct response should have been:

Mark Lancaster: There is no direct comparison between the MPCC and NATO. It is not an operational headquarters. On scale, just to start, the established posts of the co-ordination cell for the three training missions number 35 posts, of which I understand currently just 23 are filled. With 12 posts gapped, that does not have the feel to me of an organisation that is challenging NATO for operational control of EU missions. There are already five national operational headquarters provided by member states. Once we leave the EU, it is not for us to dictate to our European partners how they wish to see this go forward, but given that only 23 of 35 posts have been filled by our EU colleagues, I do not sense that there is a massive drive to move it forward.
Ministerial Corrections

Wednesday 9 May 2018

HEALTH AND SOCIAL CARE

Learning Disabilities Mortality Review

The following is an extract from the Urgent Question answered by the Minister of State for Care on 8 May 2018.

Barbara Keeley: The Secretary of State announced to the House in December 2016 that he would ask the review for annual reports on its findings, so why was a review of this importance published during the recess, before a bank holiday weekend in the middle of local election results, giving Members little chance to scrutinise its findings? When asked about the report on the “Today” programme on Radio 4, Connor Sparrowhawk’s mother, Dr Sara Ryan, said that she was “absolutely disgusted by the report” and that the way it had been published at the beginning of a bank holiday weekend “shows the disrespect and disregard” there is for the scandalous position of people with learning disabilities shown in the report.

Caroline Dinenage: On the date of publication, the hon. Lady will be aware that this was an independent report prepared by the University of Bristol and commissioned by NHS England, which wanted to look into this really important issue, and because it was an independent report, it did not formally alert us to publication. We are investigating through NHS England and others why that happened.

The following is an extract from the Urgent Question answered by the Minister of State for Care on 8 May 2018.

Liz McInnes (Heywood and Middleton) (Lab): The front page of the report is clearly dated December 2017, so will the Minister clarify and explain why, as she has stated today, her Department did not have sight of it prior to its publication?

Caroline Dinenage: I completely hold my hands up. I am not trying to mislead the House in any way. It is an independent document and the University of Bristol decided when it was going to be published. It was published on Friday without permission from or any kind of communication with the Department of Health and Social Care. I do not know what communication the university had with NHS England, but no information was passed to us. The beauty of having an independent document is that it can be published when the organisation sees fit and the Government will have to respond to it.

Letter of correction from Caroline Dinenage:

An error has been identified in the answer given to the hon. Member for Heywood and Middleton (Liz McInnes) on 8 May 2018.

The correct answer should have been:

Caroline Dinenage: I completely hold my hands up. I am not trying to mislead the House in any way. It is an independent document and the University of Bristol decided when it was going to be published. It was published on Friday, without permission or official communication with the Department of Health and Social Care. I do not know what communication the university had with NHS England, but no information was passed to us from the university. The beauty of having an independent document is that it can be published when the organisation sees fit and the Government will have to respond to it.
Ministerial Correction

Thursday 10 May 2018

TRANSPORT

Concessionary Bus Passes

The following is an extract from a debate in Westminster Hall on concessionary bus fares on 8 May 2018.

Alan Brown: I welcome audio-visual announcements. I am one of the MPs who backed the “Talking Buses” campaign by Guide Dogs. Can the hon. Lady give a clearer timescale for when audio-visual information will be mandatory on buses?

Ms Ghani: We have had the action accessibility plan, which we will be responding to very shortly—within months. We are working with the Royal National Institute of Blind People and the charity Guide Dogs.

An error has been identified in my answer to an intervention by the hon. Member for Kilmarnock and Loudoun (Alan Brown).

The correct answer should have been:

Ms Ghani: We have had the action accessibility plan, which we will be responding to very shortly—within months. We are working with the Royal National Institute of Blind People and the charity Guide Dogs.
Ministerial Correction

Friday 11 May 2018

JUSTICE
Domestic Abuse

The following is an extract from questions to the Secretary of State for Justice on 24 April 2018.

16. Robert Halfon: What steps he is taking with Cabinet colleagues to provide a more efficient and accountable criminal justice system for victims of domestic abuse.

Dr Lee: Since 2010, the Government have made tackling domestic abuse an absolute priority. Last month, the Prime Minister launched the violence against women and girls strategy at No. 10, and following on from that I attended the first roadshow event, at Edgbaston cricket ground in Birmingham, to meet victims of domestic abuse and campaigners. [Official Report, 24 April 2018, Vol. 639, c. 727.]

Letter of correction from Dr Lee:

An error has been identified in the response I gave to my right hon. Friend the Member for Harlow (Robert Halfon).

The correct response should have been:

Dr Lee: Since 2010, the Government have made tackling domestic abuse an absolute priority. Last month, the Prime Minister launched the transforming the response to domestic abuse consultation at No. 10, and following on from that I attended the first roadshow event, at Edgbaston cricket ground in Birmingham, to meet victims of domestic abuse and campaigners.